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THE

POSTHUMOUS RELATIVES

OF THE LATE

ALEX. T. STEWART.

Proceedings

BEFORE THE SURROGATE.

EXTRACTS FROM NEWSPAPERS, &c.

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NOTE.

The publication of the following correspondence is not made for the purpose of casting any reflections upon the writers, but merely that the letters may be preserved in a convenient form for reference; also to show how many persons suppose themselves related to Mr. Stewart, of whom he had not heard during his lifetime, and who for a period of over fifty years had never crossed his threshold.

Many of these letters are evidently written in the sincere belief, by the writers, that they are related to Mr. Stewart, and some are from friends, giving what is their opinion respecting certain persons claiming relationship. Of the latter class may be specially instanced that from Hugh McCall, an old and esteemed friend of Mr. Stewart, and who writes from motives of friendship alone, evidently supposing that the advertisement in the Belfast newspaper was inserted by those representing Mr. Stewart's estate. It is hardly necessary to say that this was not the case, and to add that the cause for this publication has not yet been developed.

CORRESPONDENCE.

OFFICE OF *The Prescott, Ontario, Plaindealer*,
C. CLIFFE, Editor and Proprietor.
PRESCOTT, Ont., *April* 14*th*, 1876.

Judge HILTON,
New York.

Dear Sir—Under the circumstances you will please excuse me, a stranger, for writing you concerning the will of the late A. T. Stewart, whose unexpected decease is the subject of such deep regret in your city I write you for the reason, that, according to the New York Press, you have the future management of all his business affairs. My desire is to glean what particulars you are at present at liberty to make known concerning the disposition of his estate. The New York press, say that he has no living blood relations which is a mistake. My mother-in-law, a widow lady, a resident of Kincardine, Ontario, Canada, being a cousin. Her maiden name was Stewart, and her mother was a sister of Mr. Stewart's father. I am unable to give many particulars of the relationship otherwise; but if the will makes any provision for the consideration of relatives of her distance, she will be able to furnish what evidence of relationship may be necessary. It is asking considerable from a stranger as you are; but if you are at liberty to give me any facts that may be of interest to me in the matter, you will confer a special favor.

Yours very respectfully,

C. CLIFFE.

Postmarked Urbana, O., Apl 2–76,
Addressed—
Mrs. A. T. STEWART,
New York.

URBANA, OHIO *April* 19*th* 1876.

Mrs. A. T. STEWART,
New York.

Dear Madam. I would approach you By these few Lines ask-

ing you to Be Remembr by you as I am one of the family of the Stewarts. My Grand Parents came from the Ould Country and my Grand farther and mother oftimes wonderd ware his Brother was and I Donte Hear his Name Butt was too small to ask questions and I have been with father or mother for since I have Be 12 years old and I have now a small family wife and 2 children Boy and girl and I would like to give them a good Eigueation and I have not the meanes. You and yer Husband ware fortunett to gather Welth, and I am a Poor man and if I had a small amount of money at this time I could fix myself so that Wen I get old I will have sompthing to live on. I Pray you to help me at this time and I will always Excep what secret it gives me and with thanks and with Prayer to almighty god to Bless all feal the Nead of Help. I would be pleased to see you and have a short intervew with you in Person and I would Extend you an Envertation to Com to the West and Col and see me and we will make all things plesent as possbel and I would like to hear from you personny, and I will wate to hear Wile you have the abundans of means and to spare I am tryn to Run a Coal Yard and have not got Means sufichant to make a success or a good living. Can you and will you help me, and if you wish a History of my Life I will give it to you. Pleas ansur me.

Respectfully yours,

S. B. STEWART,

Urbana, Ohio.

Postmarked Fitchburgh, Mass.,

Addressed—

Mr. ALEXANDER T. STEWART,
Broadway, New York.

LUNENBURG *Apl* 19–76.

MR. STEWART *Sir.*

I have been thinking of writing to you for some time to know if you are a Relative of the Stewarts of the Highlands in Scotland, my Grand-father Jeremiah Stewart came from that place and descendant of the Royal family, but that Stewart family is dying out in this country, my Grand-father and Father are dead. I have two Brothers and have three sisters besides myself living

that descended from that family. I have too children (a son & Daughter.)

Yours Very Respectfully,
MARY STEWART FRY.

LUNENBURG, WORCESTER COUNTY, MASS.

P. S. Please write an answer to this as we are quite anxious to know.

SEAFORTH, Ontario, Dominion of Canada, }
April 20th, 1876. }

His Honor Judge HILTON,
New York.

YOUR HONOR—I note a paragraph going the rounds of the press, since the demise of Mr. A. T. Stewart, that he had no living blood relative.

I am glad to say such is not a fact. My wife's grandfather, and Mr. Stewart were first Cousins, and she has a sister living in Washington, D. C. I am led to understand he visited Mr. A. T. Stewart at New York, at which time Mr. S. endeavored to induce him to remain and put him in business. Should you doubt this statement, my wife's sister, as I have already mentioned living in Washington, can furnish the necessary proof. I do not thus address you with any pecuniary view, but the first mentioned fact in view, and I have the honor to be

Your humble serv't,
D. D. ROSE.

Addressed
Mrs Cornelia A. T. Stewart
New York City
Post marked Clinton Mass. May 23d.

CLINTON MASS *April 21st* 1876.

Mrs CORNELIA STEWART
New York City. Dear Madam please excuse this Liberty. Dear Madam through the publick Papers i notice the decese of your Beloved Husband i Have Been indused to send you this Letter for your consideration Mr. Stewart viseted this town last sommer if i had a knew i would mad it my Business

to induce Him to her my simple but nevertheless true story for if you see fit to make aney enquiries i stand readey to give you all the Proof i can command in the first Place my name is Hugh Stewart I was born in Gray Abbey County Down Ireland thirteen mls from Belfast in the year of ower Lord and Savour Jesus Christ 1833 i was named after Hugh Stewart of Lisburn the same town your Beloved husband came from as did also my fathers family Belong to the same town and although perhaps it might Be rather Hard for me to leave the impression on your mind that I am in any way related to your Husbands family still I think I am and Has felt so for years i Have stood in Broadway and gazed into that Grand store 15 years ago and never had courage to enter And tell your Husband my beleaf But now that he is gone i hope to that Haven of Bless where there is rest for the werey And i sincerely Hope that he will receive that Heavenly reward as he did an erthly one if you wish to serch the records of my Ancestry i would refair you to the Rev Mr. Pooler d d of Newtownards County Down or Rev. Mr Hall of Grey Abbey where i was born they could satisfy you perhaps Better than i Could for they could enquire into my family records and would i think Be glad to do so But I suppose you will think I am verry foolish to rite this letter to you However God has prompted me to do so whether you acknowledge it or not i am a married man a wife and five children named William John Stewart aged 13, Mary Jane aged 11, James aged 9, Hugh aged 7, Francis Alexander Stewart aged 2 years. With my wife Eliza this is my whole family i am a machinest by trade work in the wire mill in this town Has worked in it for the Last 12 years Mr. C. H. Waters Agt i Hope you write to Him for farther information or the Hon. J. D. Stevens of this town i could mention many more gentlemen if i deemed it Nessery i must here say that this is a hard world for some and flowers for others there was only four in familey of us three boys one girl named William, Eliza, James and myself Hugh i am the youngest my brother was killed in the late war at the Battle of Cold harbor he fell in a holey cause i mean James my sister lives in this town My mothers name was Johnston. My dear Ladey i Hope you Will not think i rote you this letter through the expectation of reaping Any Benefitt from

your worldly treasure. But on the other hand if you see it Becoming in you to Acnowledge my name and i Beleave a relative of your Dear and departed Husband it will be thankfully received and may Gods will be done from your ever namesake and sympathizing friend

Hugh Stewart. Clinton Mass

My dear Madam as i wrote this when I read the Account of your Husbands death i Had not courage to send it still through Persusion i Have Been indused to send this Letter to you at this Later date.

Yours Sincearley

HUGH STEWART.

Please enquire of C G Stevens. Clinton Mass

Addressed,

Mrs. A. T. Stewart,
Hanover Street, New York.

Postmarked,
Manchester, April 24, '76.

Manchester, 53 Beadfoardfoard hulme.

Ladey Stueard :—

I hoap that you will excues me riting as I have seen the announcement of my cousin's death in the paper which caused me intence greif as I never got to know wheare he had setteld down my couison saild out in the Roial Charrter to Charlstown from Belfast at the age of twenty one he had one Brother named Sam that inlisted at the age of nineteen I have never heard from him since I have heard that he is in the East Indies my Dear couison Roberrt was cald after my Dear father Roabert Chew wich died 2 years after my dear couison depart at preasant there is gentellmen in Bellfast that weare coalege Boys with him of the name of Chartes I dear say you have heard him speak of them I am soarry that I did not go to Bellfast to get some information of my couisons wheare abouts during his Holliayadeas he spent his time with my granmoather and me I was then a chield he used to nurs me on his nee like a baby wich makes me grieve moare about him wich maid me moare attacht to him once sent a leatter from Charlstown to bellfast for his sister Margrate and me to go

to him but I had gon then to England to my father I am still in England married thirtey three years family of 13 children Dear Mrs. Stuard I am very soary for your sad loss hoaping the Loard will sustain you under such a heavy trial I have taken very much to hart as I have lived in hoaps to see him once moare but my hoaps in this world is gon hoaping we all meet in the next my Dear Mrs Stuard do rite to me and let me know soame things about him and let me know if ever you heard him speak of me his couison Mary Chew I now conclued dear Mrs Stuard with kind loave to you hoaping to hear from you soon

MRS. HULL

63 Beadford streat hulme Manchester

Post marked, Lafayette, Ind., Apl. 24, 76.

Addressed—

To the Widow of the late A. T. STEWART,
"Merchant Prince" of New York City.

LAFAYETTE, IND., April 24, 1876.

Mrs. A. T. STEWART, City of New York, N. Y.:

Respected Madam—Having read a copy of your late husband's will in the Newspapers, and finding that the management of his ample Estate was entrusted to you under the advice and and assistance of several legal gentlemen and and personal friends of many years standing I have come to the conclusion to submit a matter of rather a delicate nature to your kind and I trust favorable consideration. When in the service of the United States as a private in Company B. 72nd Regiment of Indiana Volunteers in the War of the Rebellion (in which war I served three years and four months) while lying in the hospital at Nashville, Tenn., sick and in great distress, I remembered that my father had told me that I was a second cousin of A. T. Stewart, the wealthy merchant at New York city, and in my extremity I wrote a letter to him, which he kindly answered, as he did also another. I wrote to him after my return to Indiana—in my last letter, in which I made mention of my disabled condition, being paralyzed from the effects of my service in the war, and advised me to

come to New York city and he would assist me to get a situation where I could support myself and small family. I was unable to go, and he has since gone, I trust, to a better world, "where sickness,

> Sorrow, pain and death
> Are felt and feared no more."

and when you meet him there, and to the question, how did you dispose of the "Steward ship" I left you in the lower world? you will be able to say, "About Right—to the best of my knowledge and belief—Among many acts of benevolence and gifts to the meritorious poor I remember giving a poor disabled relative of yours, who lived in Indiana—who claimed to be a second cousin of yours, the small sum of $———. In his letter acknowledging the receipt of it he expressed much gratitude, and said he was a son of your cousin, Chas. C. Stewart, of Hamilton county, Ohio.

Respectfully yours,

WM. F. STEWART.

P. S.—You will please give my case proper consideration and act as you think proper, and I will be content with your verdict. Should you desire further evidence and vouchers as to the truth of my statements, I can furnish them. W. F. S.

Addressed—
Mrs. A. T. STEWART,
New York City,
10th Avenue, U. S.

Postmarked,
Smithville C. W.,
April 24th, '76.

SMITHVILLE, Ont., *April* 24, 1876.

Mrs. A. T. STEWART:

Dear Madam—Having heard with grief of the death of your husband, I would fain offer condolence, and especially as I believe myself to be a niece of your late husband. My father's name was Daniel Stewart and my mother's maiden name was Mary Skelly; they were married by Rev. Mr. Sims, I think, in the county of Antrim, Ireland. Mr. A. T. Stewart's father's name—if he was my uncle—was Arthur Stewart. His mother's name, I think, was Hopkins. She was a large, stout woman. He owned the estate of Tercloscan, or Tereloschan (spelling this

from sound) in the county of Antrim, Ireland. There were at least two brothers beside A. T. Stewart and my father—John and Charles. My father was drowned near the Cape of Good Hope and Charles was killed. With the exception of your family there are none of that Stewart family but my sister and myself left. If this is not the family of which your husband was such a distinguished member I do not claim any relationship. If you will give the matter any consideration I will be most happy to give any further information that you may desire to establish the relationship of your Husband and myself. I may as well state plainly what you probably are expecting—that I am in very poor circumstances, and if of the same family with your late husband out of the great abundance which he has left what would by you be considered a mere trifle would be a great deal to me and my poor family. We are almost without the means of subsistence now, and the prospect in the future is even darker. If not of the same family I ask nothing, but would be pleased to have this letter answered. I believe myself to be a niece of late Mr. A. T. Stewart. I am living in Smithville in the county of Lincoln, Ontaria, Canada. I would refer you for any information concerning me to parties living in the village and knowing me well—viz., Dr. D. McMurchie, Robt. Murgatroyd, J. P.; Martin Lally, Geo. Brant, Revd. Mr. Stobbs, W. P. Buckbee or Robert Thompson, J. P., postmaster.

I am most respectfully yours,

JANE STEWART BURNS, per D. McM.

Addressed—

Mrs. A. T. Stewart,
Cor. 5th Ave. and 34th St.,
New York City.

Postmarked,
Washington, D. C.,
Apl. 25, '76.

Washington, D. C., *April* 25.

Mrs. Stewart—

Dear Madame—While talking with a lady this morning, who is a friend of yours & your late husband—She fell into a deep trance—and said. Will some one here write to my Wife Mrs. A. T. Stewart and tell her that I now find how much I left behind me which I now wish some one to do for me with my help. You

can do them so much good—save them so much pain, sickness & sorrow by keeping watch & thinking for them in a body, but not individually. You know they all live in poor, unhealthy houses; all suffer, more or less, from malarieux. I want you to send to Dr. Moore, Broadway, and get thousands of his little books on chills and fevers, headache and other family medicines, and see that every boy & girl in the establishment has one to read so if they are sick they will know where to find a safe cheap remedy. I knew the Dr. and know he is a truthful and a reliable man—This will cost you nothing—The judge will send for the books & see that they are thourally distributed among my people—Do not say this is a trick of some speculator but believe it as the medium writes it—I am as poor in the spiritual life as I was rich in the material when in Earth life—I now see how much I might have done to comfort and encourage the poor working people and not cost me a cent of money, and had I done this I should now have their blessing which would be so much capatal in spiritual life—I must now try to impress some one to do for me that work which I left on done before I can progress or be free from the cares of my earth life—Do this that I may feel that I have taken one step in spiritual growth. These poor tired boys & girls hold me down to Earth do help me to care for them in Spirit. Good-bye.

A. T. STEWART.

Addressed—
Mr. A. T. STEWART,
New York.

Postmarked,
Blue Mountain, Miss.,
May 1st, '76.

BLUE MOUNTAIN, MISS, *April* 25, 1876.

Mr. A. T. STEWART:—

Sir—I will endeavor to write you a short letter in regard to to our relation from all accounts we are undowbtedly related my mother was a Stewart her parents were born in Ireland. they moved from there to South Carrolina where my mother was born then moved to Ala.—then tc this state—my mother has eight children I have three children we were allmost entirely broken up by the war we barely make a living

I understand you are quite wealthy, and though I would apply for aid if you feel disposed to help us we will be more than glad to receive it if you do not feel disposed to give money anything will be exceptable Please let me hear from you immediately

Yours Truly

M. L. HANKS

If you doubt me refer to John McBride Cotton Plant John Wright New Albany Miss or John I. Bonner Due West S. C. I would have written sooner but embarassment would not allow me to write. Address

Mrs. M. L. HANKS
Blue Mountain Tippah Co Miss.

Addressed—
Judge HENRY HILTON,
New York City.

Postmarked,
Proctorsville, Vt.,
April 28th.

PROCTORSVILLE, VT., *Apr. 26th.*

JUDGE HILTON

Dear Sir I am surprised to learn by the papers that the late A. T. Stewart was a cousin of mine.

We came over from Ireland about the same time, but knew nothing of each other then he sailed from Belfast & landed at N. Y. as I suppose I sailed from Londonderry & landed at Quebec, his father was my own Uncle Thomas; we were both named after our Uncle Alexander, I have long been satisfied of this have written him once but received no reply and was intending to have had an interview wi h him this summer but am to late to see him personally, I have no relatives in this country by my name now, I would be glad to hear from Mrs. A. T. Stewart in regard to it. Please do me the kindness and greatly oblige an anxious friend. Very respectfully yours

ALEXANDER STEWART,
Proctorsville Vt.

Addressed—
To the Executors of the late
A. T. Stewart, Esq,
Broadway, New York.

Postmarked,
Monaghan,
April 2[d].

Enclosed in above, letter addressed—
Mrs. A. T. Stewart,
Widow of the late A. T. Stewart,
Broadway, New York.

April 27, 1876.

Madame:—May I presume to address a few lines to you. Having seen with regret the death of Mr. Stewart, and being the son of his nearest Irish relative, I trust you will permit me to bring myself under your notice. My Father, Thomas Begley, of Lisburn, near Belfast, is still living, and Mr. Stewart was his first cousin. About ten years ago my father sent one of my brothers (John Begley) to America for the purpose of making the acquaintance of Mr. Stewart and asking him as a relative to help him on in life. My brother gave up a government situation which he held in Belfast for that purpose and with the consent of his employers. Mr. Stewart received him kindly and offered to give him employment, his manager also spoke to my brother to that effect. I do not know, Madam, whether my brother had the honor then of meeting you, but his visit to Mr. Stewart was known to the person who was then head manager, and if he still lives the truth of my story can be ascertained. John Begley's health (always weak) gave way, and it grew worse he had to return home and died almost immediately. My three sons were then quite young children and I could not leave them, nor could I afford to give up my situation, but I always intended, as soon as my boys were sufficiently grown, to see Mr. Stewart and ask him to forward their interest.

I find now I am too late, and I venture to ask you, Madam, to help me and them as the near relatives of your late husband. My father is too old and too ill to write, but his respectability and his relationship to Mr. Stewart can be attested by many near Lisburn. He has four sons of which I am the second. I myself am a schoolmaster and have held the same situation 17 or 18 years. I think any enquiries made will result in your receiving

a good character both of me and my boys. Two of them are apprenticed as clerks in Belfast, the eldest is but 18. I now give my address "Cornagilta Mullaghmore Monaghan Ireland." I trust you will pardon the liberty I have taken, and that you will kindly notice my appeal. I shall feel grateful.

I am madam your obt. servant,

WILLIAM BEGLEY.

Addressed—
Care of the Manager of Business
and Executors of the late
A. T. STEWART, Esq.,
Broadway, New York.

Post marked.
Monaghan,
April 28.

MULLAGHMORE, Monaghan, Ireland,
April 28, 1876.

Madam—Will you forgive a stranger to you for addressing you in favor of very near relations of your late husband? Mr. William Begley is the son of Mr. Thomas Begley, and your husband, Madam, was his first cousin. The son has, I know, written to you. But I feel that should you from the connection wish to help and to assist him, you would like to know something about William Begley's character. He has lived as a schoolmaster at a school on my property for seventeen or eighteen years. The length of time I think proves his high and excellent character, and testifies to the respect I have for him. His wife (also a schoolmistress) is a very highly educated woman and one of very unusual ability, and they have brought up their boys thoroughly well. But the salaries in Ireland are small, and my own income is also not large, so that theirs has been a struggle through life. To name myself would be ridiculous, but that at the distance you and I, Madam, are at from each other, I would feel that to recommend is useless, unless the person who writes is of known respectability. Though my income is not large, I am well known here, and should you entertain the idea of helping Mr. Stewart's relations (which I firmly trust and hope you will do), the truth of my account of them can be attested by the chief people of this county, viz.: Lord Dartrey (the Lieutenant of the county), by

Sir John Leslie, (Bart., M. P.); and Mr. Mr. Shirley, M. P.; all of them being friends of mine personally.

Madam, for the sake of your husband's memory, assist and forward these cousins of his,

I am, Madam, yours with respect,

GERTRUDE ROSE.

To Mrs. A. T. Stewart, of New York.

Address to me, Miss Rose, Mullaghmore, Monaghan, Ireland.

Addressed—

Judge HILTON, of the late firm of
A. T. STEWART & Co.,
Cor. Chambers Street and Broadway,
New York City.

Postmarked,
Keokuk, Ioa,
April 28.

KEOKUK, Iowa, *April 28th*, 1876.

Judge HILTON, of the late firm of A. T. Stewart & Co., corner of Chambers and Broadway, N. Y.:

Respected Sir—The undersigned humbly begs leave to state that she is the only nearest living relative of the late Alexander Turney Stewart, being brother's children—the children of Alexander and Robert Stewart. A. T. Stewart was the only child of Alexander Stewart. John, Thomas, Robert, Isaac, Mary and Bettie and Martha Stewart were the children of Robert Stewart; all of whom I believe are dead except myself. A. T. Stewart left home some ten or twelve years before I did. I left in 1834 and came to Ohio, afterwards moved out here with my husband. Every place was then a wilderness, and being in rather straightened circumstances I never had the means to spare to go see him, and only heard of him through the newspapers. I am now sixty-five years of age, my family are all gone away from me except one son, who is partially deaf and dumb and almost helpless. My husband died about four years ago, and I am now left destitute. I know that if you would make known the circumstances to Mrs. Stewart she would send me enough to keep me comfortable in my old age. I would not think of writing to her directly

now, in her sad bereavement, about matters of this kind. I enclose my photograph, in order that you may recognize a family resemblance. I have requested a few gentlemen here to certify to my honesty and veracity—gentlemen who have known me for years—so that you may not imagine that I am an imposter. If you should write me you will please direct your letter in care of Judge Johnstone, of the Savings Bank, Keokuk, Iowa.

I remain very resp. yours,

MARTHA McCLEARY.

THE REFERENCES.

KEOKUK, Iowa, *April 28th*, 1876.

This may certify that we have known Mrs. McCleary for many years. That we know her to be an old lady of honesty, integrity and veracity.

Edward Johnstone, Chairman, Edward Mumm, Clerk of Court; J. C. Parrott, Postmaster, Keokuk, Iowa; Sprague & Gibbons, M. Gregg, J. M. Shelley & Son, Patrick Gibbons, Proprietor Gibbons' Opera House; J. E. Burke.

Addressed—

Private.

MRS. ALEX'DER TURNEY STEWART

Marble Palace

Fifth Avenue corner of Thirty-fourth Street

New York. North America

Postmarked,

Richmond Yorks,

May 2.

MARRICK VICARAGE,

RICHMOND YORKSHIRE, *April 29th*, 1876.

Dear Madam

Pardon my addressing you thus—but I feel sure you will when you hear what I have to say—I am a clergyman's daughter and have been ailing some time my face is broken out and has been for nearly 4 years. I have had a Dr here but he does not seem to do any good, and I am sure I shall never be well until I get good advice. If I went up to London & saw Sir Arasmus Wilson who is *the* Dr for spots on the face I think he could cure me, but I cannot go up and see him because I have no money and I

owe my Dr here £30 and know not where to find it. If I had money to go up to London I think I ought not to take it and leave my Drs bill unpaid. I am only 18 years of age and it is hard for one so young to have a face like mine. I would not have dared to ask you an utter stranger to me if I had not thought you might be some relation,—my mothers family Stewarts came from Belfast & were of Scotch descent & your husband's also came from Belfast but if we cannot prove a relationship I think you will help me for you are a lady & can well feel for a girl with a face so disfigured as mine. The spots are on my nose & chin Can you help me a little? *do do* please write to me. I shall wait so patiently for your letter. I do not suppose I can get it until the end of May. Oh! dear Madam please help me a little.

I am yours truly

MAUD JANE MASON.

MARRICK VICARAGE.

If you cannot help me will you please write and tell me so for I shall be so anxious for your letter if it is not asking too much.

BURLINGTON, Vt., *April 29th*, 1876.

Hon. HENRY HILTON:—

Dear Sir—Mrs. Isabella Boyle has been for the last eight or nine years a beneficiary of my parish, and as she is a faithful Christian woman, willing to do all she can for herself, we are very glad to give her a portion of the charitable offerings of our people; but she being an own cousin of Mr. Stewart, lately deceased, it seems to us that something might be done for her out of the wealth of her own kindred. She is a daughter of James and Susan Cunningham, and was born in Donegal, Ireland, August 1, 1799. Her father was a brother of Mr. Stewart's mother, Esther (Cunningham) Stewart. We take the liberty of bringing her to your notice, and to that of Mrs. Stewart, not at her suggestion, but as a simple act of justice to her, knowing as we do her worthiness, her poverty and her infirmities.

I remain, sir, your obedient servant,

E. A. ATWILL,

Rector of St. Paul's Church, Burlington, Vt.

Addressed—
Judge HILTON,
New York City, N. Y.
Care of A. T. Stewarts place of bus.

Postmarked,
Mt. Carmel, O.,
May 1.

APRIL 29 1876 Mt Carmel

MR HENRY HILTON

kind sir—you will be suprised at this letter but pray read it though before you cast it away i would hav riten before this time i was no serten un till now that my mother was a relation of A. T. Stewarts her name was Rachel Stewart her fathers name was James Stewart and her mothers name was gone she was born Irland in the provence of ulster in the county intrim near Belfast she was of a scoch irish decent and and rased a strict presbaterian and I have herd her say she had cousin in new york a dry good merchant that was very welthy she saw him once after she cam to this country.

my mother is dead or she coul tell all about Mr Stewarts age i suppose she has thre chldrem liven i am the younges i wll be fifty two if i live to the 17 of next May

i can find out mor by riting to my oldest sister pleas let Mrs Stwart know this and you will oblige

RACHEL JONES

to henry hilton

pleas ansr this soon and direct yo leter to the state of ohio Clearmount Co. Union town ship

Mt Carmil p o

pleas excuse poor riting for i dont write often

RACHEL JONES

Addressed—
Private.
Mrs. A. T. STEWART,
Care of Judge Hilton,
Broadway, New York.

Postmarked,
London,
Apl. 29.

LONDON, ENGLAND, *April* 29, 1876.

Madame—In sending the enclosed I do so with the simple idea that they may be interesting to you, and without the least desire of obtruding myself, especially now in the time of your affliction.

I have lately lost one of my family, and, although a stranger, I well know the sorrow of heart at such a time, and can sympathize with you, and I trust you may have health and strength given to bear up under this heavy trial and bereavement, and that you may be safely guided through the arduous and responsible position you have been so suddenly called upon to fulfil. When I first went to Ireland, in 1858, I was staying with some friends near Lisburn and Belfast, and while rambling about some of the old haunts and deserted houses of the Stewarts I copied the enclosed inscriptions from the tombstones built into the walls of the old church of Drumbeg, on the Malone and Lisburn side of Belfast, the burial place of the Stewarts for many generations. The grandfather of Mr. A. T. Stewart was intimate with the Stewarts of Wilmount House, and was considered a relative of that family, but in what degree of relationship I am not clear. My father, the late Mr. T. A. Stewart, the only surviving son of William Stewart, of Wilmount, went to Upper Canada in 1822, where he died in 1847, leaving a family, of which I am the youngest and, of course, can remember but little of what he told me of family history, &c. A few years back there were several mutual friends of both families living in Lisburn and Belfast, some of whom I met in '58 and '60. There are no relatives of either families of the name of Stewart now living in the north of Ireland. My father, who was a member of the Legislative Council of Canada, visited Mr. Stewart in New York in 1845. The latter mentioned the circumstance of his having had a letter of introduction from their mutual friend, a Mr. Quinn, of Belfast, on his going to America many years previous, which spoke of Mr. Stewart as "his young cousin and namesake."

Assuring you again that I have no other object in thus writing than what I have stated, having been greatly interested while visiting my friends in Belfast for the first time, on this side of the Atlantic, in the discovery of many old and curious family records, of which I feel sure they refer to one and the same family as that of Mr. A. T. Stewart, of New York, and that of the late Mr. Thomas Alexander Stewart, of Upper Canada, formerly of Wilmount and Whitehouse, Antrim. In writing, aunt, I have not endeavored to trench on your time and patience, and

with sincere wishes and sympathy, believe me to be yours, faithfully,

CHARLES ED. STEWART.

To Mrs. Stewart.

ADDENDA TO LETTER.

Copy of inscriptions on the tombs of the Stewart family, Drum church, near Belfast:—

Here lyes the Bodye of Anna Wilson, daughter of John Wilson, Laird of Englin Dumfries, Scotland, Wife to John Stewart of Ballydrene, who departed this life 25 December, 1689, A. E. 63 years.

Here also lyes the Bodye of John Stewart, above mentioned, who departed this life Novber 4th, 1691, aged 70 yrs.

Also the Bodyes of Thomas Stewart, their son, who died the 11th of July, 1711, A. E. 53 yrs., and of his daughter Anna Stewart, who died 6th of June, 1707 A. E. 2 yrs. Margaret Stewart died 19th June, 1708, aged 6 years.

Here lyeethe the bodye of Thomas Martin, Merchant in Belfast, who departed this life 29th Oct., 1682, A. E. 42 years. Also the Bodye of Florence Stewart, his wife, daughter of John Stewart of Ballydrene, who departed this life 27th April, 1683, A. E 28 yrs.

Eliza Harvey, wife of William Stewart of Wilmount, daughter of George Harvey of Malus Hall, Eyre, 2d June, 1767, A. E. 23 yrs.

Here lyeth the body of Jane Stewart who departed this life Sept. 11, 1734, A. E. 66 yrs.

Also her husband George Stewart brother of the above Florence Martin, son of John Stewart of Ballydrene, who departed this life July 22, 1740, A. E. 74 yrs.

To the memory of Jane Stewart, daughter of William Legge, Esq., of Malone, Co. Down, wife of John Stewart Esq., of Ballydrene, who departed this life 17th March, 1773, aged 80 years, also to the memory of John Stewart of Ballydrene, husband of Jane Stewart, who departed this life 10th April 1734 A. E. 33 years.

Here also lies the body of Mary Isabelle Stewart, wife of Robert Stewart of Ballydrene.

John Stewart A. E. 11 years, son of the above Robert and Mary.

George Stewart, son of Thomas Stewart, of Ballydrene, was lost at sea in 1743. Martha Stewart, sister of the above George, died Dec. 7, 1758, A. E. 27 years.

Near this lies the body of Alexander George Stewart, Esq., who died 10th Jany, 1796, A. E. 59 years. Also, Mrs. Elinor Stewart, of the same place, his sister, died 20th March, 1806, A. E. 80 years.

Another brother, Thomas Stewart, who died 29th March, 1806, A. E. 78 years.

Erected to the memory of William Stewart, of Willmount, Esq., son of the late Mr. John Stewart, of Ballydrene, died 10th March, 1808, A. E. 75 years. By his sons, John Stewart, of Willmount, and Thomas Alexander Stewart.

NOTE.—The above are built in the wall of Drum Church. Copied in Sept., 1858.

Captain William Stewart,
of Gairlies, Scotland,
settled at Ballydrene, near Belfast, in 1608.

William Stewart.

John Stewart, of Ballydrene,
Married Miss Wilson
died 1682, aged 63 years.

Thomas Stewart, of Ballydrene.

George Stewart.

Florence–Thomas Martin, of Belfast, died 1682.

John Stewart married Jane Legge.

George Stewart, died 1743.

Elizabeth–Dr. Stark, of Glasgow.

Thomas Stewart, of Whitehouse, near Belfast.

Alexander G. Stewart, died 1796, aged 59 years.

William Stewart, of Wilmount, near Belfast.

Robert Stewart of Ballydrene.

John Stewart, Esq., of Wilmount, Belfast, died without children in 1831.

Thomas Alexander Stewart of Wilmount and Whitehouse, Belfast, died in Canada, 1847, leaving with other sons,

Charles Ed. Stewart, of Acton, England.

STEWART.—February 29 Charles Alexander, youngest son of Charles Edward Stewart, Esq., Alfred road, Acton, Middlesex, and grandson of the late Thomas Alexander Stewart, Esq., Wilmount and Whitehouse, aged 4 years.—Belfast paper, 1876.

The Children of Charles Stewart,
of Acton, London, W.

Harriet Mary Stewart, born September 11, 1861.
Caroline Lusford Stewart, born December 18, 1862.
Francis Elinor Beafort Stewart, born February 28, 1865.
Henry Elliot Stewart, born June 6, 1867.
John Lusford Stewart born July 24, 1869.
Charlotte Emily Stewart..... } Born March 17, 1872.
Sarah Elliot Stewart..... } Died February 29, 1876.
Charles Alexander Stewart.... }
Kathleen Jane Hay Stewart, born July 1, 1873.

Addressed—
Hon. JUDGE HILTON,
B'dway & Tenth St.,
City.

Postmarked,
New York P. O.,
May 1.

APRIL 30, 1876.

Judge HILTON :—

Honored Sir,—I read your reported statement in which you said that Mr. A. T. Stewart had no living blood relatives. I wish to correct your misapprehension and also to state that Mr. Stewart himself knew that he had living kindred, and also Mrs. Stewart, though possibly she may have believed so, as all intercourse had ceased between the families after the death of Mrs. Martin, Mr. Stewart's mo her. My father's great grandfather was Mr. Stewart's also, consequently our family are second cousins to Mr. Stewart. The relationship was always recognized by Mr. Stewart, in his younger days especially. His mother, Mrs. Martin, while she was living, and as long as her health permitted, was a constant visitor at the house of her cousin, my aunt, the late Mrs. Parks, maiden name Turney, and to whom she left a legacy of a small sum of money and wearing apparel, which possibly Mrs. Stewart may recall to her memory. Mr. Stewart himself called occasionally on my father, and on the last occasion, just previous to my father's death, my father reminded him that he (Mr. Stewart) was just ten years younger than himself. Mr. Stewart laughingly replied that he "was the only person in the city who knew his own age." My father died Sept. 14, 1865, aged 77. The friendship existing between Mrs. Martin and my aunt Mrs. Parks,

independent of the relationship, was strengthened by the fact that it was owing to my aunt's intercession which produced a reconciliation between Mr. Stewart's grandfather, as her marriage to Mr. A. T. Stewart's father, he not having any fortune, being only a poor scholar, was an offence not easy to be forgiven. Mr. Stewart was acquainted with my brother, the late Paschal W. Turney, of the firm of Varnum, Turney & Harrison, lawyers, and knew of the relationship existing between them. It was from our common ancestors that the money came which gave Mr. Stewart his first capital, or at least so I have always been told by my father.

Respectfully,

W. H. TURNEY,
159th Street, Morrisania.

Addressed--
Mrs. A. T. STEWART,
New York City, N. Y.

Postmarked,
St. Louis, Mo.,
May 1st.

ST. LOUIS, April, 1876.

Mrs. A. T. STEWART:—

Dear Madam—The enclosed is a true statement of facts, as I have heard Mrs. Andrews tell them years ago. She knew nothing of this being put in the paper, and does not know that I am writing now.

I send this simply to bring the fact before you that your late husband did have one living relative at the time of his death.

Should you wish to know anything further of her you could send to her address, 725 Locust St., St. Louis.

Respectfully,
A FRIEND OF MRS. A.

(Enclosure.)

A. T. STEWART HAS A BLOOD RELATION IN ST. LOUIS.

ST. LOUIS, April 23, 1876.

To the Editor of the Globe Democrat:

It is claimed for the late A. T. Stewart, of New York, that he had no relatives living, which is not the fact, as there is now living in St Louis, on Locust Street, near Eighth, a lady of the name of Elizabeth Andrews, who is in her eightieth year. Her

grandfather was the grandfather of A. T. Stewart. Her mother was a Stewart, and a daughter of the first wife. A. T. Stewart's father was a son of the second wife—their mutual grandfather, Stewart. Mrs. Andrews is the widow of a United States Surgeon of the war of 1812, and, though poor, has never received any pension, as she was not married till during the war. This is written without the knowledge or consent of Mrs. Andrews.

Addressed—
Mrs. A. T. Stewart,
34th Street, Fifth Avenue,
New York City.
In care of Judge Hilton.

Post marked,
Watertown, N. Y.,
May 2.

Watertown, *April*, 1876, Jefferson Co., N. Y.

Mrs. A. T. Stewart:

Dear Friend and Aunty—You may think strange of my calling you friend and aunty. I did consider uncle Stewart a very dear friend, not only because he was uncle by marriage to me, but great uncle to my husband, but because he has helped me a number of times, to the amount of five hundred dollars inside of 11 years, my husband was from Ireland and was 33 years old when I married him, and I married him on his death bed, in the morning, and he died the same night at eleven o'clock, it was a sad hour to me to be left a widow so soon after marrying him, he was a clerk in a dry goods store and so was I a clerk in the same store, he was the second husband I had, my first husband was an officer in the army, a lieutenant colonel when I married him, and he went back to his regiment in Washington, and was killed in three months thereafter, and I was left a widow, this was in 1862, and I was married again in 1865 to Willie A. Stewart, your husband's Nephew. I don't suppose you or any of uncle's help knew he helped me; I am very thankful to uncle for what he has helped me. I heard by a gentleman that was in this city that had received $5,000 as a gift of Mr. Stewart, and this man said he presumed uncle had made provision for me, and if he did not will you something. Mrs. Stewart and Judge Hilton will

carry out the various plans and supply all deficiencies that uncle could not execute before his death. my first husband was an officer in the Army and I was entitled to a big pension and to back pay and Bounty at my first husband death, and when I married Willie A. Stewart, the witnesses two persons besides the Justice of the Peace promised to keep my marriage a secret till I got my Pension money and back pay and Bounty about three months ago, and I put it right in Hargers Bank ten thousand dollars and seven hundred dollars in all I put in this Bank, and in two weeks this Banker failed entirely and I lost all I had put in his Bank. I was looking for a place a house to buy. I did not want to buy a dear or costly house. I wanted some left to support or clothe us and also to doctor myself for I am an invilid, it will be two years the 9th of July that I got injured on the sidewalk by steping intoo a little hole with my foot and the board flew up and hit me in the *Bowels* and nearly knocked me down and I fainted away and was picked up and carried home by two strangers and have been sick ever since. I am not confined to the bed all the time but half of the day I sit up, but very feeble and a great sufferer, and always will be a great sufferer. When I first got injured my injuries were internal for I came very near bleeding to death, the blood run a stream from the bowels and womb for a week before it was quelled at all, and it did not cease its flowing entirely in a month but I was confined to my bed eight months and I had two the best surgeons in the City to attend me till one of them died with fever, and last June the other surgeon was coming home from the harbor and his horse took fright and throwed him out and his head hid a great stone and injured it seriously and fatally and he lays in a dying state, crazy and parilized, the city pays these doctors, for I had no means to pay them. I could have help and get well again by a doctor in the city from London; he does great cures and he says he can cure me. I was obliged to support my father and mother, before I got hurt, by teaching musick; and now the city and the Episcopal Church supports myself and father and mother. Uncle said in a letter got from him once when he sent me some money, that he would make provision for me, or leave it so his wife or Judge Hilton could make provision for me after his death

My father has been in good circumstances once, but lost all he had by indorsing notes and having them to pay. I can prove all I say in this letter that knew Willie A. Stewart, your nephew, to be all the friend or relative he had. Do please do something for me they is no person as needy as I am, everybody that knew Willie expected he would get something of uncle, write soon as you get this Judge Hilton same. Dear Friends if you should send me something they is only two banks in the City that is safe to issue a draft, the Watertown Savings Bank is a safe one, the man that told me he thought uncle had made provision for me and if they had not he would give me what uncle gave him, five thousand. I needed it worse than he did, good bye, yours truly,

Mrs. MATTIE STEWART,

in care of Mrs. Martha M. Parker, Watertown, Jefferson Co., N. Y.

Addressed—

To Mrs. CORNELIA M. STEWART, *Postmark obliterated.*
Fifth Avenue,
New York City,
State N. Y.

MILAN, P. O., Tenn., *Gibson Co.*

Mrs. CORNELIA M. STEWART:

I take the liberty of writing a few line to you, hoping that you will be kind enough to answer this by return of Post I adress those few lines to you on account of seeing in the Nashville Weekly American the deth of Mr. A T Stewart who was my third cousin according to my mothers account I sent Mr. Stewart a letter two weeks Before last Easter and seeing in the news of his deth and Berriel. I suppose he did not get my letter, I now take the liberty of calling on your kind hart to send me some assistance as I am left alone in this country I have Burried my Mother and three Brothers cince I came to this country with the loss of all I had made leaves me now in distress which is the cawes of writing to you. I cincearly pray that you will consider me as your cousin tho Poore now I had plenty while my Brothers lived but deth of stock, and the raveges of the war

has left me in distress. I hope you have got my letter that I wrote to Mr. Stewart. No more at Preasant from your poor but affectionate cousin

MARGARET COOK

P. S. Direct your letter to the care of Mr. R. Cushing Milan P. Office Gibson Co Tenn

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NEWFANE, *May* 1st, 1876.

Judge HILTON I received from Jamestown Pa the following notice—

NEW YORK, *April 19th*, 1876.

AUGUSTUS BRAINARD KENDALL—

Dear Sir

Judge Henry Henry Hilton of New York and chief executor of Alexander T. Stewarts estate having employed me as his attorney instructs me to notify you hereby to appear before him at his office 427 Broadway on the (4th) fourth day of May next with proof to identify yourself, as you are *remembered* in his *will* for the sum of seventy-five thousand dollars ($75,000)

Yours truly

B. I. GLIAR,

Executors Atty.

Please write particulars and oblige.

Address A B KENDALL

Newfane Niagara Co N Y

Addressed—

Mrs. A T STEWART
Thirty-fourth Street, Fifth Avenue,
New York City.

Postmarked
Watertown, N. Y.
May 4.

In care of Judge Hilton.

WATERTOWN, Jefferson county, N. Y. 3d, 1876.

DEAR AUNT CORNELIA STEWART:

Dear Friend—I was afraid I had made some mistake about the bank. I was in my uncle's employment a great while, eleven years in all, and worked in the underclothing shop, ladies' and gent's clothing made in this shop besides I clerked it in the stores

for uncle, but I assumed another Name while I was with uncle and in his employment. Mr. Curtis remembers my being there, they is no persons more in want of help than I am and suffers as I do because I am poor please do what you can right off Aunty Stewart your neice. Mrs. MATTIE STEWART

in care of Mrs. Martha M. Parker.

Addressed—
Mrs. A T Stewart
New York City

Postmarked
Whitehall N Y
May 4.

Whitehall N Y. *May* 3*d* 1876

Mrs. A T Stewart

My dear Madam

Facts that have recently been going the rounds of the newspapers, as to the birth place &c of Mr. A T Stewart, inclines my father to think, he was related to him.

If it is not unpleasant for you, will you allow me to ask, do you *know* anything of his ancestors? I do not wish to add one unpleasant thought or question to the affliction, which I know your recent bereavement brings you—and it is simply to gratify the wishes of an aged Father that I write you My Father was born in the Northern part of Ireland, his name is Andrew Wilson and as far back as I can remember, I remember hearing him say he "supposed he was related to A T Stewart" this supposition was founded upon the fact that his Grandmother was a Stewart and he thinks she must have been a sister of Mr. A T Stewart's father.

Seeing the birth place of Mr Stewart strengthens him in this belief and he greatly regrets *now* that he did not investigate the matter while Mr Stewart was alive as *he* might have known some facts in regard to it which you do not.

I have hesitated about the propriety of writing you at this time but I know of no other way in which to ascertain the facts. Will you be so very kind as write me, and then, if agreeable to you I will send you more particulars.

Very respectfully Yours

Mrs. WILLARD ALLEN

Whitehall N Y

Addressed—

Mrs. A. T. STEWART,
Fifth Avenue, New York,
N. Y.

Postmarked,
Louisville, Ky.
June 2.

LOUISVILLE, *May* 6, 1876.

Mrs. A. T. STEWART:

Dear Madam—I enclose a short paragraph, clipped from the Louisville *Courier-Journal*, and, as I suppose you would wish to do justice to your husband's relations, feel satisfied that you will do as he would in regard to the matter. I presume this is a relation he had no knowledge was living. Respectfully,

Mrs. R. WARREN, No. 31 Main street.

PARAGRAPH REFERRED TO ANNEXED.

The St. Louis people have discovered a blood relation of A. T. Stewart in that city, notwithstanding the reports that the millionaire had no kindred in the world. This person is Mrs. Elizabeth Andrews, an old lady, eighty years of age, whose grandfather was also the grandfather of A. T. Stewart, the latter's father being a son of the grandfather's second wife. Mrs. Andrews is the widow of a United States surgeon of the war of 1812, and she is poor and pensionless. No provision seems to have been made in Stewart's will for this relative. She was too modest to claim her rich kinsman. A few thousand dollars from the colossal fortune of the deceased millionaire would doubtless be very grateful to her. Mr. Stewart seems to have been ignorant of her existence.

Addressed—

Mrs. A. T. STEWART,
34 street Fifth Avenue
New York City.

Postmarked,
Watertown, N. Y.
May 10.

i care of Judge Hilton.

WATERTOWN, *May* 10, 1876, Jefferson county, N. Y.

rs. CORNELIA A. STEWART and Judge HILTON:

Mrs. Stewart do you desire proof that I am a relitive of Mr. tewarts by marriage, I can give it if you wish it, but my case is s plain as can be, you ouaght to give me something because I as employed by uncle 11 years and I can prove I was employed

by him the eleven years, you gave Mr. Curtis five thousand because he was cashier eight years he was there when I was to work there. if you dont wish to do anything just write to me and say so. Yours very truly,

Mrs. MATTIE STEWART,
in care of Mrs. Martha M. Parker.

they is no person so poor as I am and needy and such a sufferer as I am.

Addressed—

Mrs. CORNELIA STEWART,
Fifth Avenue, New York,
U. S. A.

Postmarked,
Dunmurry,
May 11.

DERRIAGHY VICARAGE, DUNMURRY,
BELFAST, *May* 11, 1876.

MADAM:—The thought has occurred to me that if you were made aware of their condition you might like to aid two aged parishioners of mine, named James and Anne Carrick, who claim kindred with your late honored husband. They are brother and sister, living together in a very humble, but clean and orderly little cottage, in the village of Stoneyford, parish of Derriaghy, about four miles from Lisburn. For many months past the brother, who is the elder and more infirm of the two, was confined to his bed and tenderly nursed by his good sister. A small pension of three pence a day, with the very little the sister can earn by needlework, the produce of their little garden and occasional help from kind neighbors is all they have to subsist on; and yet their decency is such that they do not plead poverty or make, as others do, frequent appeals for help. In the course of conversation, during a recent visit, James Carrick told me how, when boys together, the late Mr. Stewart and he often occupied the same bed. I have ventured to write thus on their behalf, *without their knowledge* or any suggestion on their part, thinking that perhaps you would be glad to relieve such decent poverty, and make two such deserving people a little more comfortable in their old age and infirmity. If they were capable of earning a livelihood for themselves I would not think of doing so, as I do everything in my power to discourage begging appeals from any who can work for

their bread. I cannot but think that had the late Mr. A. T. Stewart been made aware of the existence and condition of these worthy people he would, after due investigation, have made some little provision for them. I am personally known to the Rev. John Hall, D. D., who will, I have no doubt, satisfy any inquiry you may wish to make as to the value of my testimony. Hoping you will pardon my thus intruding upon you, and deem my interest in those humble Christians, members of my flock, who love God's word and prayer, a sufficient apology, I have the honor to be, madame, your faithful servant,

SAMUEL M. MOORE, M. A.,
Vicar of Derriaghy, near Lisburn.

Addressed—
Mr. Judge HENRY HILTON,
New York City,
New York.

Postmarked,
Albia
Ioa
May 16

ALBIA, Iowa, *May* 15, 1876.

Mr. HILTON:

Sir—As I have a claim or expect some of Mr. Alex. T. Stewart's or rather Uncle as I always call him, and I think I am honest in the matter.

My father's mother was a sister of A. T. Stewart's, and he was the only brother. He (Mr. Stewart) and my Father came to this country near about the same time or at the time of the time of the Rebellion. I never remember of seeing him but once, he stopped with us, having some business with Father, and as he always was a friend of Father's all through his life, I think he would be mine, in need. My Father died some time ago, and my mother died when I was but a child of two years old, so you can see I was left an orphan. I married about (19) nineteen years ago, have four children living one dead. I have been toiling along to get them raised and educated and it leaves me not able to do for them as I ought. So now I give all in your hands to attend too, and whatever your charges will be I want you to state, and please attend to this matter immediately for me, as I am needy, and if you knew the circumstances you would not hesitate

a moment. Please answer this and let me know the particulars. I do not ask you to do or transact any business without recompense, nor do I think you will or would do it without pay. But whatever is allotted to me you can take out your share, so you have the power to get it before I do. So I do hope and pray you will remember me as an heir of some of the estate you will oblige me by answering. your humble servant.

Mrs. Dr. McDONALD,
Mrs. Dr. J. G. McDONALD,
Albia, Monroe county, Iowa.

Addressed—

Mrs A T Stewart
New York City
New York

Postmarked.
Moscow O
date obliterated

Moscow Clermont Co O. *April 25th*, '76

Mrs. A T Stewart

Madam, Will you please excuse a stranger for addressing you at the time of your great grief, for the loss of your loved companion?

I had felt so confident of His being a cousin of mine that I had commenced a letter to Him the last of March, informing Him, as it was the Centennial of the Marriage of my Grandparents in the "early autumn" I had been contemplating a reunion of what few relatives I could get together. I wrote to Mr. Stewart three years since giving the record of my mothers family, but not knowing your address, I directed it to Boston, with the request, if misdirected, they would please forward, which I suppose they did. I would be very much obliged to you if you would please let me know if your Husband's Father's name was John Stewart and his Mothers name was Frances Thile or Kyle. My Uncle John Stewart was born in 1779 and was married in 1803, and I have always been of the opinion Mr. A T Stewart was a relative of mine.

I have frequently been asked if he was a relation of mine, I could only say I supposed he was my Cousin.

As I stated to your Husband, in a previous letter my Husband and I commenced life, very poore but by great industry and

economy, we are in possession of a good farm of 300 acres well stocked, after giving our two sons good Farmes, we have thank God a superabundance of the Comforts of life.

We have raised seven children; our oldest son, Frank Logan, died a prisoner of war at Andersonville Ga. and all these long years we have been wanting to visit His far off grave, but as yet have not felt as we ought to take that sum of money from the Education and support of our other children, four of the six being Daugters, and farming for the few last years paying indifferantly.

I saw in the Cincinnati Gazette coppied from a New York Paper, that your Husband had not any Relatives in this Country, and to inform myself if there was any relationship between Mr Stewart and myself, is all the apology I can offer.

Hoping this will be *entirely* a *private* matter, I will close, with the request, Pleas answer at your earliest conveniance.

Respectfully

Mrs. S. A. LOGAN.

May 15. I have a beautiful obituary of Mr S cut from our County seat Paper. I would like for you to read, but will not make free to send unless you wish it. S. A. L.

May 15. Mrs A T Stewart. As I was prevented from mailing my letter for several reasons, I will add a line (if you will please pardon my intrusion) which I hope you will receive with all the indulgence of a Woman Heart. I am sadly deaf, altho but fifty-three years old I have not been able to hear the striking of the clock for 25 years. I go from home but little, and to Church scarcely at all, therefore it is more pleasure to see my friends at home.

I will not lessen my self respect to ask a portion of your large wealth, though I will say I felt some disappointment, after your Husbands death, as I supposed he received my letter three years since and would feel an interest in one, in whose veins ran the blood of the Stewarts. I have a Book printed in 1731 containing the record brought from over the sea by my Great Grand Parents.

Respectfully, Mrs. S. A. LOGAN.

Addressed—
Hon. JUDGE HILTON
at Messrs. A T Stewart & Co
New York

Postmarked
Lisburn
May 17

LISBURN, *May* 16, 1876.

Dear Sir—I am sure you will permit me on behalf of Widow Mary Brennan *née* Stewart to make some suggestions to Mrs. A. T. Stewart and yourself. From a very early period of my life I had become acquainted with several of the relatives of the late merchant of Broadway, and among others was that of Mary Brennan. She is the daughter of the late John Stewart, of Geerstown Maze and full couzin of Mr. Stewart of New York. Two of her surviving sisters she tells me reside one in Lurgan and the other in Glasgow. I don't know these women but have long respected Mrs. Brennan as a well to do industrious woman who with great credit has got thro' the world so far and even now that she is a grandmother manages to keep herself by hard work. My object in writing this letter is simply to state that having had considerable experience in such matters that it might be well if whatever money you and Mr. Stewart thought fit to set apart for that purpose should be paid these poor people *in weekly instalments*—of course I merely take the liberty of throwing out this suggestion that it might be considered. I wrote you three weeks ago about the Lodging Houses for widows of cotton operatives.

You will recollect that in course of our conversation at Glenmore and when we presented the ADDRESS to Mr. Stewart, I had some talk with him on the subject, and when I said we (the Trustees) had still £360 and only wished it to be supplemented you said "*whatever may be done in the case wd only be done by Mr. Stewart himself.*" It would be a matter of regret to all those who delight to think of the Stewart bounty that there should not be some lasting memorial of it in Lisburn.

Believe me, dear sir most truly, &c.,

Hon. Judge HILTON. HUGH McALL.

Addressed—
Hon. JUDGE HILTON
New York City

Postmarked
Honesdale Pa
May 18.

HONESDALE, *May* 16*th*, 1876.

Hon. JUDGE HILTON:—

Dr. Sir—I suppose you are not aware that Mr. A. T. Stewart had relatives liveing at his death through the newspapers some times previous to his death staited he had none I denied it in a letter to Mr. A. T. Stewart some months before he died Mr. Moses Stewart who lived and died in Courtright Centre Delaware county State of New York was a relative they say he was a small man, he has two grandchildren still liveing. the mother of two of these grandchildren who is now dead staited a number of times that A. T. Stewart of New York City was her cousin her name before she was married was Laura Stewart Daughter of Moses Stewart.

Yours Truly T. S. BROWN.

Addressed—
Mrs. A T STEWART
New York City
New York

Postmarked,
Jefferson City Mo
May 18 '76.

JEFFERSON CITY MO: *May* 16*th* 1876

DEAR Mrs STEWART

I suppose you will be surprised to receive a letter from one you never knew, but hope you will pardon the liberty I take in addressing you a few lines. Did Mr. A T Stewart your late husband, have any relatives that married into the Callihan family. My Grand Father's name was William Callihan. My Grand Mothers maiden name was Mary Stewart she had one brother James, and one Charles. My Father's name was Otho Wade Stewart Callihan he had three brothers and two sisters. My object in writing to you is if Mr. Stewart did have any relatives who married any one by that name, do you know what part of Ireland they lived. My Father died when I was an infant, I am the only child my parents had. My Father died in August, and in September if he had lived until then would have gone to Europe to get money left him there from his Grand Father Stewart's

Estate. After his death my mother did not undertake to get it, and since I have been old enough to attend to it myself I did not know who I could get information from that I needed. I thought Mr. A T Stewart was perhaps born in America until I saw his obituary saying he was born in Belfast, had I have known it before his death I would have written to you before, and hope you will not think unkind of me, under the circumstances for thus addressing you now. I now have four interesting little children, three boys and one girl the Eldest Benjamin Stewart, 12 years old and Maggie, Francis, and Charles, the youngest 16 months old, and I want to Educate them Well, and too I have had several severe spells of sickness during the past six years and I thought if I could get information with regard to the whereabouts of my Grand Mothers family I could succeed in obtaining the property due me, and I would then be able to travel around which the physicians say would restore my health entirely. We were unfortunate during the war in losing all we had. My Mother is living with me. My Father was a Methodist Minister, but I am an Episcopalian, my name is Mary Frances Wade Stewart Miller. My Grand Father was 80 when he died and Grand Mother over 90. I will feel very thankful to you if you will answer my letter as soon as you can. I truly sympathize with you in the loss of a kind good husband, and may God in his goodness give you strength to bear it. With kind wishes.

Respectfully Yours

Mrs. Wm. E. MILLER

Jefferson City Mo:

P. S. My Mother thinks in Europe the name is usually O'Callihan.

Addressed—

Mr. Libbey, care of Mrs. Stewart
Thirty-fourth street and Fifth Avenue
New York, America.

Postmarked
Cavan
May 18, '76.

Ballinagh, Cavan, Ireland, *May* 18, 1876.

Dear Sir—I am requested by one of my parishioners to write to you on her behalf, a widow, Mrs. Sarah Scott she says she is second cousin to the late Mr. A. T. Stewart by his mother whose

maiden name was Lucy Clarke from Clones, her mother was Eliza Scott, William Scott's sister, her father formerly lived in Cavan. If Mrs. Scott's claim will be taken under your kind consideration as being a Relation to the late Mr. A. T. Stewart I trust she will not be forgotten. Mrs. Scott would have sent in her claim before this but it was only a few days ago she got the New York *Times* of April 14 1876 giving an account of Mr. Stewart's funeral "under the heading of Mr. Stewart's Will whether there any *next of kin* who desired to be heard." Waiting your reply, I remain truly yours

EDWARD POTTERTON, A. B.
Incumbent of the Parish of Ballintemple.

Mr. LIBBEY.

The following letter was written to a personal friend of the late Mr. Stewart, and was forwarded to Judge Hilton:

Addressed—

Hon. Judge HILTON
at Messrs. A. T. Stewart & Co
New York

Postmarked
Lisburn
May 22, '76.

BELFAST MODEL SCHOOL, 18*th May*, 1876.

SIR—Having been requested by my father, who has been for some years confined to bed through frailty, to make out and forward to you the relationship which existed between A. T. Stewart, Esq., of New York, and himself:

I beg respectfully to state that my father's mother, Mary Begley, otherwise Stewart, was sister to Alexander Stewart, father of the late Mr. Stewart, New York. My father and the late Mr. Stewart were therefore full cousins. I have also been requested by my father to relate that Mr. Stewart manifested particular friendship towards his relatives on several occasions. My father's mother died during one of his visits from America to this country. He not only attended the funeral of his aunt (to Clifton street or as it is called the New Burying Ground), but also paid the funeral expenses. My father's family consists of four sons and 3 daughters, viz:—James Begley, teacher, Belfast Model School; Wm. Begley, teacher, Corraugiltaagrel; George Begley, teacher, Portaferry N. S. School; Jacob Begley, Ballycarrickmaddy N. S.;

Mary Jane Begley, married; Margaret A. Begley, married; Georgina Begley, not married. I remain, Sir, your obedient servant,

JAMES BEGLEY.

for Thomas Begley, Ballycarrickmaddy, Lisburn.

There was forwarded by this letter the following advertisement, copied from a Belfast newspaper:

ALEXANDER T. STEWART,
Late of New York.
Native place, LISBURN, Ireland.

Relatives of the above deceased Gentleman will please make themselves known by letter, stating full particulars of Relationship, addressed to "X. Y (6252)," Office of this Paper.

BELFAST, 16*th May*, 1876.

Addressed—
Mrs. A T STEWART
New York City.
N Y

Postmarked
Amboy Ills
May 19

AMBOY, *May* 18, 1876.

Mrs. Stewart:—I take the Liberty to write to you to let you know that I have reasons to believe that the late Mr. A. T. Stewart was a relation of mine my maiden name is Sarah Stewart and my native place is near Belfast Ireland, and I learned that is the place he is from, and Alexande being our famley name, and if you think I am trying to get money from you on falls pretence Please send me your address and I will come see you.

And if you wish to write to me

Please Direct the letter to Amboy, Lee Co. Illinois.

from Mrs. SARAH BOYD.

I have often thought of going to see him to see if he wasent some relation of mine, but we are poor and I could not afford the money to go and after so long a time I thought I would write to you.

Addressed—
Mrs. CORNELIA M. STEWART
New York

Postmarked
South Jackson Mich.
June 6.

JACKSON *May 19th*, 1876.

DEAR FRIEND

To the good and Aimable Mrs Stewart though a stranger to yo I take the oppertunity to Address yo hoping that I shall not merit your displeasure in so doing. I address these lines to you in confidence that you will never disclose the contents of this letter you have been bereft of a good and kind Husband and I of a Mother who have both gone to Heaven and Hope and trust that you and I shall one day meet them thare. My Moth was taken from me when I was a child and no one to protect me but my Father in Heaven who has watched over me all my Life thus far and in him I will trust as Mother told me to do. She was a meek humble Christian but always Heartbroken the last thing that she said to me was Flora I am going home to leave you Jesus is waiting to receive me and I have something to tell you thare is a mistery hangs over you I made a Vow to keep and I have kept it you are related to A T Stewart of New York this is all I can tell yo and promis me that you will never disclose this while he lives and I never have to no one before and now will you bury this seecret in your heart you have an abundance of this world and if you feell that you have more than you know what to do with if you will bestow something to me it will be lending to the Lord. I have written a book on the subject of Temperance which I hope and believe would be the means of doing a good deal of good if I had the means to publish it and be a benefit to me as well as of the world it was not from an Education that I wrote it was a call that I could not resist I had a vision of it at three different times and believe that thare will be some way opened for me to publish it again will you keep this as my dead Mothers Prommis in Confidence.

Yours till death.

be so good as to write me Address

Miss FLORA HERBERT
South Jackson, Jackson Co Mich.

Addressed—
Care of the Executors
of A T Stewart Esq
for Mrs. Stewart
Bdway N York
Registered
35210

Postmarked
Castle Blarney
May 20

MULLOUGHMORE, Monaghan, 20*th May*, 1876.

To Mrs. STEWART:—

Madam—I wrote to you about a fortnight ago to recommend to your notice a cousin of your husband's, William Begley, as I felt that you wish to help one so nearly connected with the Stewarts. And, Madam, my long acquaintance with William Begley enables me to speak highly of him and of his young sons. His near relationship (he is a son of William Begley, of Lisburn, whose first cousin your husband was Madam) may, I trust, recommend him, and can be proved. I write again, as last time I ommitted to register my letter, and fear in the many you receive mine may be overlooked. In conduct, education and principles Mr. Wm. Begley will not be found wanting. His 3 sons (all under 18 years of age) are nice and good lads.

I am, Madam, respectfully yours,

GERTRUDE ROSE.

Note.—Back of envelope market "Castle Blagney, Ireland."

Addressed—
Mrs. A. T. STEWART,
New York City, New York.

Postmarked,
Wabash, Ill.
May 25, 1876.

May 21, 1876.

Mrs. A. T. STEWART:

I seat myself to drop you a few lines to inform you of the fact or rether open the secret to you as I suppose you air unacquainted with the affair concerning Miss Ann McWorthy that come from that Citty about fifteen years ago to her brothers that lived in this settlement but soon after she come here her brother died and left her to the mercy of the world and I took her to my house she staid there till she died in 1870 and she left

a child that she said was A T Stewart's a wealthy merchant of that Citty and she got letters from him regular until she died but at his request she destroyed them as she got them so as to keep the child a secret from his home until his or your death and then he was to be made known the woman gave the care of the child to us before she died and showed me two letters that she had got from Mr Stewart he has kept the child or ruther kept me in means to keep the child since his mother died she showed me a letter from Mr Stewart stateing what he was going to give the child, end that was one-tenth of his welth he wanted it kept a secret until his or your deth and then there could be something done or the child could git what was coming to him—it looks like one tenth is a very small shere for him and him the only child he ever had, but I thought I would do as he requested make it known to you and then you could act on it as you pleas and I would still keep it a secret the boys name is James, T. Stewart. So I will close for this time.

Yours with respect,

Address LOVEL E. CRAPPER,
Wabash, Wayne Co., Ills.

Addressed—

Mrs. A. T. STEWART,
Fifth Avenue, New York.

Postmarked Gillespieville, O.
May 22.

Mrs. ,, ,, STEWART:

MY DEAR FRIEND—I take the opportunity of writing you a few lines to let you know that I was very sorry to hear of Mr. Stewarts Death. Mr. Stewart is a distant relative of my husbands Grandfather James Stewart, they came from Ireland. My husband had written to Mr. Stewart about two years ago. My husband is very disabled to work. I have 7 small children to support and have very poor health, there was a gentleman in Chillicothe told me that your husband was a distant relative to us and he said if I would write to you, you would help me, and I thought I would address you a few lines to ask you for God sake to help me. I will give you great praise here on earth for your kindness, and God will also reward you in heaven. I am very needy and need help if ever you did help the poor and needy, for

God sake help me and my 7 poor little children to something as you are so wealthy and are giving to the poor. I have 5 girls and two little boys and the boys are the babies, times are very hard here for any poor people to get along. Please answer my letter anyhow and tell me what you will do whether you will help me or not. Address

Mrs. WILSON STEWART,
Gillespieville Ross Co Ohio

To Mrs. CORNELIA STEWART
Fifth Avenue, New York City.

May God help you to answer soon is my prayer.

Addressed—
Mrs. A T STEWART,
New York,
N Y

Postmarked,
Peterboro, Ont.,
May 22 '76

PETERBORO, *May*, 1876.

To Mrs. A. T. STEWART:

Dear Madam—Upon hearing of the death of your late lamented husband I intended writing to you at once, but for many reasons have until the present delayed doing so. I will now say that I feel very much annoyed at myself for not writing sooner to you, but I trust you will now accept my sincere sympathy under your present severe affliction. Would have written before, as I said sooner, only Mr. McLanus said he was coming over to see us here, but he never came. I am at present living here, and a relative of your late husband through the Stewarts and Hustons, of Sharcock. You may never have heard of us, as we are in very humble circumstances; but we are still relatives of your late husband, and blood is thicker than water, they say. Yours, truly,

Mrs. E. STEWART,
North Monaghan, Peterboro, Ontario, Canada.

Addressed—

Mrs. A. T. STEWART,
Fifth Avenue, New York,
U. S. America.
Private.

Postmarked,
Belfast.
May 23.

MARINO, HOLYWOOD, near BELFAST,
Co: Down, Ireland.

Mrs. A. T. STEWART:

Madam—Having observed in our daily newspaper an advertisement requesting the relations of the late Mr. A T. Stewart to come forth and prove their relationship. In reference to myself I cannot conscientiously give any proofs regarding my mother's relationship to Mr. Stewart, yet, I think there was one, but I am very well aware of a very warm, strong and early friendship existing between Mr. Stewart and my mothers family.

I did not think of answering the advertisement as I could not give the necessary proofs which might be required, but sincerely hope Madam you will excuse the liberty I have taken in addressing yourself.

My mother Mrs. William Allen was Abigail Morrow one of the Morrows of Ballymackan near Belfast. She corresponded with Mr. Stewart, after he left Ireland for New York and when some years afterwards, he paid a visit to Belfast. My mother called on him, he gave her a very warm reception and expressed a hope that she would ever think upon him as a FRIEND and once in her emergency he proved so. She is dead now many years, but it is through their warm friendship that I now appeal to you.

I am her daughter, Margaret Allen, now now Mrs. Murray. I am now a widow with a large family, seven in number, four boys (4) and three girls (3) My late husband was in the shipping trade and occupied a responsible position in this town. Owing to some failures in business and his long delicate health previous to his death my circumstances are greatly altered.

My two eldest sons are able to maintain themselves respectably and give me some assistance the two younger ones are serving their apprenticeship, it is chiefly for the sake of myself and daughters that I write as our means are very *scanty* in fact *barely sufficient to support us.*

Two of my daughters are now in womanhood, just at a time of life when so much depends on a girls position. I have endeavored to give them a good education which they are trying to turn to account by becoming governesses but my youngest is just fifteen years of age her education has been somewhat neglected, owing to my change of circumstances. She evinces much talent for music and drawing and it vaxes me much that I cannot cultivate her taste.

I have now written to you trusting you will acknowledge me in the light of a distant relation of the late Mr. A. T. Stewart.

I have endeavoured to explain the connecting link of our relationship or friendship.

I can give you reference to some of the leading Merchants in town, who did business with my late husband, but would not care to expose our family matters.

My eldest son served his time in the well known firm "The York St. Flax Spinning Company" and has been there in all seven years. The situation he holds is respectable though as I before said the remuneration is small. The Secretary of the above firm Mr. Moffatt knows my family and our circumstances well. My sons name William Allen Murray.

Madam I sincerely hope you will pardon my troubling yourself with these lines.

May the thought of bringing comfort and some joy to the desponding hearts of the widow and fatherless girls prompt you to remember us.

Madam, I remain, your humble servant,

MARGARET ALLEN MURRAY.

Mrs. A. T. Stewart.

Addressed—

Mr. Judge Hilton,
New York City.

Important Business.

Postmarked,
New York P. O
May 25—5 P. M.

New York, *May* 24, 1876.

Mr. Judge Hilton

Dear Sir—I understand that you have charge of my Dear

Dead late Deceased cousin, Alexander T. Stewart. I am his only male cousin, and did not know it till I saw my Bible the other day, in which I have a record of the Stewart family. I am a poor little orphan, with only one farther and mother, and would like to have about $10,000 to go in business with. If you do not send it to me in a week I will prove who I am, and you will wish you had sent me the cash—Send it to me through box 96 of the *Sun* office. Your true friend, R. S. STEWART.

Addressed—

Mrs. CORNELIA M. STEWART
New York City. N Y
In care of Judge HILTON.

Postmarked,
Camden, Ala.
May 26.

CAMDEN, Ala., *May* 25, 1876.

Miss CORNELIA STEWART

Dear Madam Seeing the death of A. T. Stewart and seeing that he is from Ireland believe that he is an uncle or cousin of mine. As my father and grandfathers come from Ireland, also my grand father had several brothers and sons there also, but my father dying in 1831 I being very small did not know much of his people, but remember that his uncles were John Andrew and Thomas and his fathers name was Adam Stewart whom I was named for I have met with several persons acquainted with Mr. A. T. Stewart of New York said I favored him very much. Ive been thinking for some time of forming an acquaintance with him but have delayed it until now. I intend asking him for assistance as he was very wealthy and I being disable from labor by rheumatism and a large family to support, but hope you will help me some as he left you several millions. I had to serve in the late war and being exposed to hard ships have become disable to work almost any at all. I hope you will not turn away from the poor and needy for such I be but will trust to providence for better days. If you want any information you can get it from Camden as I have a good many acquaintances there. I wish you would inform me something about Mr. A. T. Stewarts relatives in Ireland if he had any and what their names are I have lived in igno-

rance of my fathers people untill late but hope to be informed in time to come will you please let me hear from you soon

address to

ADAM S. STEWART

Camden Wilcox Co

Alabama

B. S. I was born in abbeville S. C. in 1821 and moved to Ala, Wilcox Co. 1836. A S STEWART

UNION CITY. Tenn *May* 25*th* 1876.

GENERAL POSTMASTER N Y

Dear Sir, Having tried different ways to find out the address of the late A T Stewart's Widow I now send you a chance to make $10.00 in Cash if you will inform me where her address is at. Just send me her Full Name & P O address and I will send you Ten Dollars. Please answer by return Mail and oblige

WILLIAM A STEWART.

Union City Obion County Tenn

Addressed—

MRS. ALEXANDER TURNEY STEWART,
Broadway
New York
U. S. America.

Postmarked
Chester
May 29

CHESTER, Cheshire England
May 26*th* 1876.

MY DEAR MRS. STEWART

Seeing an account of the death of your late husband in the papers, I take the liberty of writing to you. My Mother's Maiden name was Elizabeth Stewart. She belonged to Belfast, she married Edward Kirk who was a Watch Jeweler In Belfast, but who died Leaving my *Mother* a *widow* with six children of whom I am the *second*. When my Father died my Unele John Stewart who was my Mother's Youngest brother who resided in Liverpool and who was a Tailor and Draper. Came over to Belfast to attend my Father's funeral taking me baek to Liverpool with him and bringing me up with his family and treating me with every Kindness. In a short time after my Mother sold all her

effects and sailed to New York taking the five remaining children with her, the two youngest died soon after, my Mother also died leaving three girls An Jane, Eliza, and Anna, orphans in a strange land. In due time the two elder girls married, the one a Coachmaker and the other a Coach trimmer, both working in a factory somewhere near New York but I forget the name of the place. I think Eliza's married name was Carr I do not remember the name of the other, the last letter I ever had was from Eliza telling me of the death of Ann Jane leaving two children, at that time Eliza had one child whom she described as a bright little thing with bright blue eyes and fair hair—Since that time we have never heard one word from them or of them.

My dear Mrs. Stewart I am writing to you in the hope that they may have made themselves known to your late husband who would be their relative, My Mother and he being own Cousins, and so get a clue to them. Your late husband called to see My Uncle John in Liverpool some years ago when he was in this country on business. My Uncle mentioned him and told me of that Circumstance the very first time I saw him which was about six years ago, he has been dead four years leaving three daughters—his brother James resided in Dungannon in Ireland and was a Schoolmaster. I think he also must be dead, as all letters remain unanswered. I have been married thirty six years and have had thirteen Children, Six of whom are living.

Oh if I could only see my sweet sisters from whom I have been separated since childhood, I should indeed feel happy. Will you kindly write and tell me if you know anything of them.

I am my Dear Mrs. Stewart,

Your affectionate Cousin,

ISABELLA GLOVER.

Please address

Mrs. GLOVER

4 Lena Terrace Chester England.

P. S. My husbands name is William Haywood Glover please address *Mrs. W. H. Glover.*

Addressed—

EDWARD B HILTON Esq
73 Fifth Avenue
New York

Postmarked
Parish, N Y
May 30.

PARISH, OSWEGO Co. N Y *May* 28, 76.

Judge HILTON

Honorable Sir, Having noticed through the papers that you were an intimate and trusted friend, as well as principal Executor of the will of the late A T Stewart I venture to write you in behalf of a cousin and also intimate friend of his childhood in his fatherland Ireland. A T Stewarts fathers sisters child was for several years a resident of this place. On coming to this country she first made her home in Canada, and being of limited means, had never renewed old friendships, although had often spoken of doing so through the medium of the pen as he had not the means of knowing her in the obscure life she was leading, as she to keep track of him in his successful business career. But by some means failed to write. From what I learn from an old lady now living who was her intimate friend, her extreme pride on account of the difference in their circumstances from time to time deterrd her.

On noticing that his generosity to those in the lowly walks of life was such that he remembered even the servants of his household, and seeming left his will in such a way that if there were any others whom in your judgment had any claim upon his bounty they might be looked after. I doubt not had she made herself known to him he would not have allowed his less fortunate kin to go unnoticed. and the thought that even now Could Mrs. Stewart have positive proof that he had relatives on this side of the Atlantic on whom she might confer a life long benefit, and perhaps be the means of of raising them to usefulness and honor, with but a tithe of the charity she bestows upon others, out of love and respect for the lost, she might deem it a privilege to make inquiries, and may have heard him speak of Aunt Clarissa Stewart. She married a man in Ireland by the name of Campbell. Her daughter came to this country and married a man by the name of Reedington and died a few years since leaving children who are respectable but of very limited means and who now reside in this place.

The relationship now existing between them and Mr. Stewart is that of second cousin, which may seem to you nearly like that of Mark Twain as he stood weeping over the grave of Adam, and I will add that I am in no way related, or interested excepting as a friend and teacher who likes to see children educated, and as there are several beautiful children whom, had it been their good fortune to have been known and recognized as relatives might have shared in the benefit of his great success in life. I submit the case to God & your own Judgment, and that of Mrs. Stewart, thinking it will do no harm, at least excepting a slight encroachment on my time which I freely give if it be the means of proving any benefit to a neighbor, and on yours for which I most humbly beg pardon. Should you deem this worthy of notice please direct to Mrs. George Ludington, or Truman Redington, Parish, Oswego Co N Y

Respectfully Yours,

MARTHA LUDINGTON.

Addressed—

Judge HENRY HILTON
C/o A T Stewart & Co
New York

Postmarked
Albany
May 28

Personal

ALBANY, N. Y., May 29, 1876.

Judge HENRY HILTON:—

Dear Sir—I just heard of Mr. A. T. Stewart's death yesterday. Why didn't you send me a paper containing the announcement? I should have been glad to have received it. I always understood from Mr. Stewart that it was his intention to provide for me in his will. Was there no mems. desiring his executors to see that I "should want nothing?" (that's just the way he expressed himself to me when I last called on him). I should be under great obligations to you if you would make a search among his papers with a view to the discovery of such a request. Please communicate with

CHARLES STEWART LA MONTANYE, Albany, N. Y.

Addressed—

Mrs. A T Stewart
Widow of the late Mr. A T Stewart
Fifth Avenue, Broadway
New York
America

Postmarked
Belfast,
May 29 '76.

Belfast *May 29th* 1876.

No. 33 Langford St off the Shankhill Road Belfast

Dear Madam

I am very sorry to hear of your loss of your Dear Husband it took me by surprise to hear of his name when I read the papers I knowed I had a friend in America but did not know where he was to now his Father was my mother's Uncle and her name was Agnes Stewart of Maghergall near Brookhill and she was married to James Crow my Father and he held a farm at Derriaghey at a place the call Castle Robbin under the Marquis of Hartford thats about 3 miles of Lisburn we were all baptized by the Rev. Phillip Johnston of Ballymacash in Derriaghey Church and I was baptized Stewart Crow. I had three Brothers and six sisters 9 of us all together but I believe they are all dead but myself and I was born in the year 1815 or thereabouts and I have a family of 6 sons and one Daughter and I have three of them in Baltimore one of them in Woodgear Street No 3 and the other 2 in a street No 1 Baker St Weast of Gilmore and the others at Home with me the one that lives at No 3 calls himself John E Stewart and does not put Crow to his name at all and he has lost his Wife on the 11th of May last after her confinement, child and all is dead which I am sorry at My mother had another Uncle they called Joseph Stewart and he was of unsound mind and my mother had two Brothers one the called Robert and the other William and he was a horsebreaker and broke horses to Commodore Watson of Brookfield in the Parish of Maghergall neare Peartree hill and my mother had a sister called Molly but she died unmarried. My Uncle Robert was married and had a family but I know little about them so now I have showed you all the relationship I can at Present and Good bye and may God Bless you and be your protector in your Bereavement.

And I hope you will be so kind as to answer my letter at your own convenience I hope you will excuse me writing but I thought it my duty to let you know some of the facts.

Faithfully your most ob servant

STEWART CROW.

Addressed—

Mrs. A T STEWART
Relict of the late A T Stewart Esq
New York, U. S.

Postmarked
Duart Ontario
May 30.

Paid

DUART Ontario Canada

Mrs. A T STEWART New York U. S.

Respected Madam, As one claiming to have some of the Blood of your Lamented Husband in my veins may I trespass on your attention a few moments. I remember being with my Father at Miss Margaret Stewarts beside Cootehill Co Cavan Ireland, and they talking about their Great and worthy New York kinsman. I am twenty years out in this country, keep a store in this village. I did well but unfortunately I went surety for another and I and my family have had hard times for the last eight years, but thank God I am nearly through with all only for the dreadful hard times in Canada for the last two years, no business a doing and impossible to collect I was on my feet. What I ask your attention to is this. Some Nine or Tin years ago I bought a farm of land beside this village from Sir John A Macdonald Toronto X premier of Canada He held a mortgage of $800.00 against it I paid $200.00 off the mortgage, then trouble and this security came on me and kept me ever since paying the debt of another. Sir John knowing the circumstances, kindly did not press me, till now. He says he wishes me to pay up. I have improved the farm 100 acres drained fenced and erected Buildings it is good value for $4000.00, from what I hear of you, your kindness and goodness, might I ask you as a great favour to instruck your Agent to lift this mortgage for me for say two years, it pays eight per cent which I will thankfully pay you and full Amount that you pay on or before two years, if not I and my wife now sign any instrument binding up the property to you for ever in case we dont pay. I can refer your agent to Sir John A Macdonald

Toronto Messrs. Samson Kennedy and Gunnel Toronto, Messrs. Harvey Stewart, Hamilton, Rufus Stevenson Esq M P Chatham, as to my character &c.

My brother the Rev. Jas H McCollum is Church of England Minister of St Thomas Church Toronto he is a M. A. of Trinity College Dublin. You will pardon me intruding at this time. I too well know the sad hand of Death. I lost a fine Boy about eighteen months ago and a dear daughter at last Christmas. My dear Maggie 18 years old she was my right hand was worth twice the Store poor dear girl only a few days sick this dreadful diptheria both died of, again I ask your pardon, being an Ulster man and seeing no risk to you in the matter and a great obligement to me I have ventured to submit it in good faith to your kind consideration. I have the Honor to be

Your most obedient Servant,

EDWARD McCOLLUM

Addressed—
Mr. A T STEWART
New York

Postmarked
Newark O.
May 31 '76

Yes.

CINCINNATI Ohio, May 31 '76

Mr. Stewart as I am about to leve this world i wright a leter to you of a confession to you about your son i stole your son and put mine in his place so mine could be raised well then I traided your son to a familey by the name of garber S Garber is his name i send this letter with a friend of mine to Newark Ohio and to See if your son is there if he is there my friend wright yes on the envlip forgive me for god sake

F B TAYLOR

Addressed—
Mr. JUDGE HILTON
Walnut Street
New York
Wheeling West Virginia June 1st
1876 yr

Postmarked
Wheeling W. Va
June 1

WHEELING West Virginia
Thursday June 1st 1876.

JUDGE HILTON

Dear Sir I am a relation to Alexander T Stewart as near a relation as he has got either in this Country or any other Country.

I was born and raised 28 miles from Belfast, and if any of his relations get anything I would like some of it to. I have a child called for him it is 6 months old. My name is Robert Stuar. Stewart.

My directions is

Mr. ROBERT STEWART,
South Wheeling
No. 3734 Wood Street W Va

Written by Maggie Stewart age 12 years.

Addressed—

Hon HENRY HILTON
A T Stewart & Co
New York

Postmarked
Lapier Mich
June 13.

LAPIER MICH. *June* 2 1876.

MY DEAR JUDGE HILTON

After looking up my family tree I have discovered that I am no relation to A T Stewart and probably wont get any of his money, but in case you find otherwise, notify me at once.

Very truly
GEO. W. PRAY.

Addressed—

JUDGE HILTON
Cor Chambers & Broadway
New York
Of the late firm of
A T Stewart & Co.

Postmarked
Keokuk Ioa
June 3.

KEOKUK, Iowa, *June* 2, 1876.

Judge HILTON, New York city:—

Dear Sir—On the 28th day of April I wrote you—not in the attitude of litigant, but as one claiming near kinship to the late A. T. Stewart—but up to the present time I have heard nothing from you except that I am informed that some reports appeared in the New York papers placing me down among other impostors. Now I have made no threats, nor have I claimed anything as a matter of right. I only wished to know that, in case I could establish my identity and prove my kinship as stated would you give me anything to assist me in my old age? The indorsement

of Messrs. James M. Shelley & Son, dry goods merchants of this city, should alone be sufficient to satisfy that I am no impostor. I presume they are well known in the city of New York, and known to your own firm. I hope you will do me the kindness to answer this letter. Write in care of Judge Johnston, of the savings bank, or of Messrs. Sprague & Gibbons. Very respectfully yours,

MARTHA McCLEARY.

Addressed—

Mrs. A T STEWART
Broadway New York
America.

R
17928.

Postmarked
Paris
Montmartre 1°
June 6, 76.

RUE DES MARTYRS 91
PARIS *June* 6 76.

Madame

It is with sincere regret I heard of the irreparable loss you have sustained by the death of Mr. Stewart your husband, and second cousin to me. I need scarcely say how grieved I was at his persisting silence, and decided disinclination to own the relationship existing between us. Why?

So far back as the year 1861 I wrote to him from Paris, and also from Normandy.

At that time Mr. Charles Lewis a friend of your husband promised on his return to New York to employ all his interest in my favour, alas his kind endeavours as well as my missives have sunk in sad oblivion.

If not trespassing too much on your time and attention madame, I should be glad to claim a moments patience, and take a retrospective cursory glance at the contents of the letters in question. Therein I explained that my Father was from a place called Ballinasereen near Belfast, Ireland, was Surgeon in the Royal Navy, afterwards practised in England as Dr. but from ill health was advised to reside in France; which he did, but fell a victim to over exertion, having a large family to support 5 children. Three sons all of whom died like him of consumption.

The only survivors are, my sister, married to a French artist, and myself.

Our only support is, in giving lessons, which at best of times is most precarious, but more particularly so when no longer young.

To add to our series of misfortunes her husband has become paralyzed and quite incapable of continuing his lessons.

My sister wrote to make inquiries if there had been any mention of us in Mr. Stewarts Will—as any little assistance from your liberality could not be given to one more needy.

In hopes Madam that this letter may be favorably received. Allow me to subscribe myself

Yours truly

MARIA STEWART.

Miss Stewart
Rue des Martyrs 91
Paris.

Addressed—

Mrs. Stewart
Widow of the late Alex. T. Stewart Esq
Broadway New York U. S.

Postmarked
Belfast
June 7.

Belfast *June 6th* 1876.

Madam—An advertisement having lately appeared in the Belfast papers asking for relatives of the late A T Stewart to make themselves known, but for what purpose it is not stated, believing the advertisement to be genuine I take the liberty of placing before you particulars of my relationship which can be substantiated.

My Grandmother was Aunt to the late Mr. Stewart her maiden name being Jane Stewart, married to John Fowler, Cairnbane Blaris and his second wife, issue one only child and daughter Sarah Fowler who married my Father Thomas Town of Blaris and Hillsborough, consequently I am a second cousin to the late Mr. Stewart. My Grandmother Jane Stewart died in my Fathers house Cairnbane Blaris of which I have a perfect recollection, I have two brothers alive Henry and Thomas Toan both of Ballinstone Blaris, Lisburn.

The above information I have already given in reply to the advertisement but consider it right that you should have it direct.

Your obedient servant
ALICE STERLING
otherwise Toan—widow
45 Fairview Street
Belfast

Mrs. A T STEWART
New York.

Addressed—
Mrs. A T STEWART
New York

Postmarked
Athens, O June 18.
June the 7th 1876.

My dear Aunt i take my pen in hand to let you know that we are all well but myself i have bin sick for a long time i never herd my Uncle's Death till a few days ago Mr. Steward was my my mothers brother my father told me about my uncle living in Newark my father is Dead and i forgot my Uncles name and i forgot where to wright to my father seen him before he left the old Country and he told my father that he was maried and was a coming out to America my father seen him in ne york he wanted my father to stay with him my mother died in the old Countrys my father fetched me out here when i was quait young that is the rason that i dident know any thing about my mothers brother. I have raised a big family and have got some little orphant grand chillern i have small children yet of my own. My dear aunt you have enough to spare to make me comfortable it seems very hard to be away from my friends and havent any money, we are a suffering for a great Many things, take pitty on me and send me some to our previshings You can express it to Athens town Athens Co Ohio please send me some good that you can rak up i am sufferings for Cloths and Beddings Take Pitty on your unworthy relations Please right as soon as this comes to hand and tell me your Name

from Catherine Collentine to My Dear Aunt.

Direct your letter to Athens, Athens Co. Ohio.

I have maried a Poor man and I am away from all of my Re-

lations before my father Died he rote to Mr. Steward it has been 12 years since my father wrote. My Cousins in Cincinnatia wanted me to write to Mr. Steward when we had our house burnt they told me that he was wealthy but when I came home i had forgotten where to wright to i have got a great deal of trouble i have lost my oldest son Dear Aunt we are very Poor Dear Aunt you wont Disown me as relations you never seen me i now.

We are a getting old and are very poor We had big floods here and it destroyed all of our crops We dont own any land we havent got any money to buy our bread times are very hard. Dear aunt you have plenty i know you dont know what it is to want for bread you never had any little children around you.

Addressed—
—— Judge HILTON
5th Avenue New York.

Postmarked,
Philadelphia, Pa.,
June 8, '76.

DEAR JUDGE

I want to know if I am a relation of A T Stewart, his Grand fathers sister was my mother in laws first husband's wife. Send the money at onee if I have any to get.

GEORGE BRADFORD,
928 Loring Place,
Philadelphia, Pa.

Addressed—
Jude HILTON
Care of A T Stewart & Co
N Y

Postmarked,
Ellaville Fla.
June 12*th*, 1876.

ELLAVILLE, Fla., *June* 12*th*, 1876.

Dear Judge HILTON
Administrator &c
Sir

We have just discovered that we are the only surviving *blood relatives* of the late lamented A T Stewart, and as through the papers we learn that his huge estate is being distributed promiscuously, We take this early opportunity of urging our claims. Ellaville is not a money order Post office, but the funds will reach

us safely through the express or by registered letter. Hoping to be placed in stamps at an early day for Campaigning purposes.

We are with deep respect

Your obedient servants,

E. T. F. C. STEWART
J E B STEWART, Col. C. S. A.
T. J. O'REILLY H B M A

Addressed—

Mrs. A T STEWART
Widow, &c
New York

Postmarked,
Shullsburgh, Wis.,
June 12th
DARLINGTON, Lafayette Co Wis.

Mrs. A T STEWART
New York

Dear Madam, Pardon me for presuming to address you. My father in his lifetime often told me about your late husband and read me his letters. My father's name was *Robert Blain*. He was born in Belfast, Ireland, and Died in December, 1865 in this Country. He left myself and *two sisters* his *heirs*. He died *poor* & *we* are *still poor*.

My father used to tell me that A T Stewart was his *first cousin* & that they went to school together in Ireland & came to this country together & that Mr. Stewart became a successful merchant & got *rich* while my father was but a poor farmer. Please accept of my sympathy for you in your affliction & if you deem this worthy of notice should be glad to receive a reply.

Very truly yours

ALEX BLAIN.

Addressed—

Mrs. ALEX T STEWART
Fifth Avenue New York
N Y

Postmarked,
Henderson, Ky.,
June 12.
HENDERSON, Ky., *June*, 1876.

Mrs. STEWART

My dear Madam

You will doubtless be surprised on receiving this letter from an entire stranger, but feeling so sure that I am a

relative of your late husband I have resolved to write you and ask permission to make your acquaintance this summer should I visit New York, which I am exceedingly anxious to do during the Centennial months. I am not very familiar with my ancestry, for my family were few in number, but from the knowledge I have of them, feel confident we were connections of Mr. Stewart, and consequently I am very anxious to know you. If agreeable to you, write me and address Mrs. Ed. T. Starling, Henderson, Ky. Yours with respect

MARY STEWART STARLING

Addressed—
Mrs. A T Stewart
New York, America.

Postmarked,
Portaferry, June 14.
Down, June 14

Portaferry, Co. Down, Ireland.
14*th June*, 1876.

Mrs. Stewart.

Madam

As a relation of your late revered husband A T Stewart Esq, I most humbly beg leave to submit for your kind consideration the following statement, feeling persuaded and hopeful from your great generosity Displayed towards the employes in the establishments of the late Mr. Stewart, in whose character, liberality was a prominent feature, that you will favourably entertain my appeal.

My relationship is as follows. I am son of Thomas Begley, first cousin of the late Mr. Stewart My fathers mother, Mary Stewart being sister to Alex. Stewart, the late A. T Stewart's father, I was born and lived till 15 years of age in Magheragel, Mr. Stewarts native parish. The high position to which Mr. Stewart attained, and a natural feeling of delicacy on the part of my father, in approaching the great, prevented the latter calling upon him, on the occasion of his visits to Ireland, though several times within a few miles of my fathers house. In 1865 my brother, during a vacation visited Mr. Stewart in New York, and was honored with two interviews; that brother died shortly after his return.

I am a National School Teacher as are, or were my father brothers, and sisters, and our characters, I think not too much to say, will bear the strictest investigation.

My family consists of eight children, varying in ages from two months, to 16 years, for the support of whom, on a very limited income it requires the strictest economy—frequently being much straightened in circumstances.

Though several circumstances connected with Mr. Stewart and his relatives are present in my mind fearing lest I be too troublesome, I mention but one, viz that the late Mr. Stewart attended at and generously defrayed all expenses of the funeral of my Grandmother, (his aunt.)

I trust, Madam, in your generosity and kindness you may see your way to lend a helping hand, for which I pray the giver of every good and perfect gift to abundantly bless whatever you may see fit to give, that he may fulfil to you his promise. "I shall be a husband to the Widow," and that He may give you to enjoy in the future world, the true riches of Eternal Glory.

Begging your forgiveness for thus troubling you
I am Madam,
Your very humble servant,
GEORGE BEGLEY.

Addressed—
Judge HILTON
At A T Stewarts Store
Corner of Broadway and 10th St

Postmarked
Orange N J
June 15.
ORANGE, *June* 14*th*

Judge HILTON

honored sir having for some time past been desiris of communiacating to you But time and opertunity has failed me. But I now evail myself the opertunity of stating to you that I am a cousin to the late lamented Alexander T Steward my foreparents came from Belfast Ireland my grand fathers name wa Pat Morow he married Mary Ann Steward who was a sister of Mr. A T Steward's father. I will not deny that there is a tingege of Coulard Blood in my veins nevertheless my cousen never made and difference on that account whith me he use to laughingly say

that one God made us Boath and coular was but skin deep he has a rail Road Running rite past my house in flushing I own a little house in flushing hav it all paid for but one hundred and 68 dollars I thought that you or my dear cousins wife would send me 2 hundred dollars. Could then pay the Ballace an hav a little money save I thot my dear cousen would of helped me had he of lived people talked a great deal a bout so many thousand dollars worth of flowers put on him when he was dead I told them it was none of there Business, please to rite to me as soon as convenient let me no how much I am to expect. I am at present in Orange New Jersey my house in flushing is at hill side station.

Give my love to my cousin wife save a share for your self

Beleeve—ELIZABETH STEWART

Orange New Jersey

Addressed—

Mrs. A T Stewart

New York City

Postmarked

Greenwood Mo

June 20 76

Greenwood Mo. *June* 19*th* 1876.

Dear Mrs. Stewart

We have just heard of the recent death of your husband who was a relative of ours Have you not often your husband speak of Geo Miller who was born on the 18th of April 1796, in the same Co as your husband and in the town of Balabay Ireland who was the Father of W. J. and H. C. Miller. we were just thinking of going to see A T Stewart, but we heard of his death which was regretted very much. Now I know if he was living he would aid us in our weak condition and that is just what we want as we have a large family W. J. having 13 dauters and no sons, H. C. having 4 boys and 5 girls. You see it is rather difficult to support them as we are both becoming feeble with old age. Pleas ans at once and if you do not believe us we will start for your Palace immediately

Your true relative

H. C. and W. J. MILLER.

Addressed—

Mrs. A T Stewart
New York.
In care of Judge Hilton

Postmarked
Chicago Ills.
June 22

520 Wabash Avenue *June* 22*d*

Thursday Morning,
Chicago Ills.

To Mrs A T Stewart.

My Dear Friend

Pleas allow me to address you as such. In the first place I will not annoy you or Judge Hilton with a lengthy letter But a few words Years ago, *long passed By* My mother who was a Cousin of your Dear and Departed Husband had 2 Cousins sent to her In Massachusetts from New York By *A T Stewart* he found them at his old and dear home Ireland in the Kings County By the name of Margarett and Mary Ann King. My mother always said they ware all he had as relations then left except my mother and her own family. Mary Ann died years ago without marrying. Margaret married but also died. I was surprised to see through the Publick Prints so many Claimants as from early youth our relatives were few the name of Stewart is in my mothers family. One Brother of 50, odd years Carries his name the onely won I ever knew that bore the true name of your family. I felt it my duty to write you these facts the last time I saw him was in 70, or 71 when he was to go home on his 16th Voyage with my friends we went down to the Dock his suit was Plain But splendid with Lavender necktie and gloves to match I then saw him for the last time as I was in the City for a few days. I have been a widow 20 years. In that time I have visited New York 3 times once I called at your residence you were not at home. If I can be of any service to you in regard of Proving Title of heirs at Law If I can be of service to you Pleas let me know and I will inform myself as to Particulars by sending home to Massachusetts for the Old Records of Grandmothers Stewart family I am not a young Lady I am 64 this month and this is my own handwriting—those of my acquaintance said it was my plain duty to write you some of the particulars as I did know of some in years gone By.

Pleas take no offence for my thus addressing you I feel sorry for you to be left at your age to walk the remaining Path of life alone It Is a Lonely Life—20 years I have been a Widow But It Is all right and just with God he knows best But my dear friend remember he is now waiting for you, in that Beautiful Land of the Pure & the Blest. Pleas let me hear from you as often and as long as life does last and if you would like to come to our Beautiful City In the West for a Pleasant jurny Come to Chicago and Stop with me. I will do all I can for your Happiness.

from ELIZA E. PATTERSON
520 Wabash Avenue
Chicago Ills.

Addressed—
Mrs A T STEWART
Broadway
New York.—America—

Postmarked
Lisburn
June 22. 76.

BLARIS— Parish of Lisburn
County of Down
Ireland

In the matter of ALEXANDER TURNEY STEWART who died in New York City 10th April 1876

Having seen by the Belfast News Letter that the relations of deceased are requested to apply stating their relationship by Letter. Consequently I therefore most respectfully beg leave to make my application in accordance with the requirements of the publication.

My mothers maiden name was Sarah Stewart, she was Cousin to deceased's father and was married to John McCambley, a native of Hillsborough, there was issue of said marriage seven children four Sons and three daughters, who so far as I know are all dead but myself being the youngest of the family—there is one fact I wish to mention all my relations as well as myself have one of their family called Alexander.

I will give any further information in my power if required.

Hoping to merit consideration from your Ladyship and the Trustees and Executors of the late deceased's affairs—

I remain

Yours respectfully

ROBERT McCAMBLEY.

(Turn over)

I know Robert McCambley for 20 years—and can testify that any moneys, given to him in accordance with the statement on the other side, would be worthily bestowed—

MAURICE K. McKAY. A. B. T. C. D.
Incumbent of St. Matthews. Lisburn
Diocese of Connor— Ireland

17th June 1876—

Robert McCambley the person referred to in this document has been known to me for a great many years, and has always borne an irreproachable character.

H HODSON
Rector of Lisburn

Lisburn
June 19th, 1876.

I have known Robert McCambley for more than thirteen years, he is a man of excellent character and has brought up a family of nine children in a careful and religious manner so that he has now much comfort with them. I do not know any one who would be more deserving of consideration from the family of the late Mr. Stewart, and I feel certain that he would not put in a claim, of relationship without it's being a true claim

WM. D. PONUDEN
Incumbent of Christ Church. Lisburn June 19, '76

I have known Robert McCambley for some years he is of sober,

steady and industrious habits—his children attend regularly my Sunday schools & the whole family are members of my church. I feel sure that his statement with regard to his relationship to the late Mr. Stewart is correct.

(Signed) STEPHEN CAMPBELL
Incumbent of All Saints— Lisburn.

Lisburn, County Antrim, Ireland,
19*th June*, 1876.

In my capacity of a Magistrate of this County, and one of the guardians of the poor of the Union of Lisburn, having overcharge of the Graveyard of Blaris, of which Robert McCambley is the sexton and caretaker, I have had repeated opportunities of observing the staidness and propriety of his character and conduct, and I feel confident that he is incapable of making a statement that could be contraverted.

(Signed), DAVID BEATTY,
Chairman of Town Commissioners, Lisburn.

DECLARATION.

County of Down, }
To wit: } I Robert McCambley of Blaris, in the County of Down aforesaid, do solemnly and sincerely declare that I believe that the late Alexander T Stewart, Esq, pensioned his uncle Thomas Stewart Esq sometime about 34 years ago. The said Thomas Stewart about this time used to call at my father and mother's house in Blaris aforesaid, frequently; and I have often heard the said Thomas Stewart, in conversation address my mother as "*Cousin*," and she addressed him also as "*Cousin*," and when they were speaking of their fathers houses, they addressed them as their "*uncles*." I further believe that from their addressing each other in this way several times, that they were "*Cousins*." And I make the above solemn Declaration, conscientiously believing the same to be true, and by virtue of the provisions of an Act made and passed in the 5th and 6th years of the reign of His Majesty King William the Fourth, for the suppression of

Voluntary and Extra-Judicial Oaths, and substituting Declarations in lieu thereof.

ROBERT his mark McCAMBLEY, Declarant.

Witness to the mark of the said ROBERT McCAMBLEY, I having first duly read this Declaration to him.

JOHN A. HEUSTON,
Clerk of Petty Sessions.

Declared and Subscribed before me at Lisburn this 19th day of June 1876.

Stamp. Sixpence. Stamp. Sixpence.

DAVID BEATTY, J. P.

Co. Antrim, Ireland.

CERTIFICATE OF REGISTRY OF MARRIAGE.

Marriage Solemnized in the Parish of Hillsborough—County of Down in the year 1810.

No.	When Married.	Name and Surname.	Rank or Profession.	Residence at time of Marriage.
87	November 21st 1810	John McCallery Sarah Stewart	Royal Artillery	Hillsborough.

Married in the Parish Church of Hillsborough, Ireland according to the Rites and Ceremonies of the Church of Ireland, by license By me F. E. LACELLES.

This marriage was Solemnized between us } John McCambley, Sarah Stewart } In the presence of us } John Murray

I hereby certify the above to be a true Copy of the Marriage Register of the aforesaid.

Extracted this Twentieth day of June in the year of our Lord One Thousand Eight Hundred and Seventy Six.

By me Stamp J. P. One Penny. GLAUVILLE,
Curate of Hillsborough.

Note The Entry in the Marriage Register is spelt differently from John McCambley's signature. The age, fathers name &c. are not entered.

J. P. GLAUVILLE,
Curate of Hillsborough.

CERTIFICATE OF REGISTRY OF BAPTISM.

Baptism administered in the Parish of Hillsborough County of Down in the year 1827.

When Baptized.	Childs Christian Name	Parents Name		Abode	By whom the Ceremony was Performed
		Christian	Surname		
21st October 1827	Robert	John Sarah	McCambley Stewart	Hillsborough	Rev C. J. Maffett

I hereby certify the above to be a true and faithful extract from the Register of Baptism of the Parish aforesaid Given under my hand this 20th day of June in the year of our Lord, One Thousand Eight Hundred and Seventy six.

(Signed) Stamp J. P. GLA UVILLE Curate of Hil lsborough. One Penny

---

Addressed—

Mrs A T STEWART
Care of Justice HILTON
Broadway & Chambers St
N Y City.

Postmarked
New York P. O.
June 23.—12 *M*

DEAR MRS. STEWART

I beg to inform you that I am a close relative to your late lamented husband, I will not go into particulars regarding my relations for if I did you would know all my plans and prepare yourself to meet them; if you should act so foolish as to contest my claim. Besides being a relative I had money

business and social relations with Mr. Stewart, the business account has never been settled, but I will be able to show that there is a balance due me of several thousand dollars. In due time the account which is in the lawyers hands will be forwarded to you and if not paid of course I shall be compelled to sue on it. I think if you will lay this matter before Justice Hilton, your Counsellor, friend and guide he will advise you to make some settlement. I see that the estate is estimated at about Seventy Million dollars. Now my just Share of it, even if the Baileys Turneys and others get theirs would be about ten Million dollars. I am greatly in need of money, and if I had five million dollars I think I could get along comfortably. This would be a small matter to you and there will be left a sufficient amount to support you in regal Splendor far eclipsing the "riches and pomp of Darius" when he went out on the plains of Syria to attack the Great Alexander. But to return. I understand Justice Hilton to be a man of good sense and the possession of great business Capacity, that he is far seeing is shown by the admirable manner in which he managed Mr. Stewart's business affairs both before and after the death of the great merchant. If you will appoint a time and place for an interview I will hasten to meet you and I believe that if we both keep our tempers mine is a dreadful bad one, we can settle this matter on reasonable terms. On receiving my share or part of it, I shall devote a portion of it to assisting poor Churches and other needy objects of charity.

The more I think of it the more I wonder at your wanting to own so much money. It makes you a mark for burglars, and all sorts of evil minded villains, and really imperils your life. I shouldnt think you could *sleep* for fear of being murdered for your great wealth. After further reflection I have come to the conclusion that I can get along with one million dollars and when I present my legal claims I am sure that you will be very glad to compromise on so ridiculous a sum. Just think a moment, it will be only about one-seventieth of what you possess and you would scarcely miss it. Besides see how happy you could make one of your sex. I would be enabled to ride in my carriage, wear diamonds and imported dresses and I would have no wants that could not be immediately supplied. It would make you

happy too in knowing that you had done justice to me and at the same time giving joy to the heart of another being. I have always respected you, and you have met me on several occasions, but not in recent years. If you will turn your memory back to the summer of 1870 at Saratoga you will remember a small lady, slenderly formed with red hair and grey eyes who accompanied you and your husband on a drive to the lake. The initials which I will sign at the end of this letter coupled with the above incident will instantly tell you who I am. I would sign my full name but I dont want it dragged all over creation.

There is one thing I neglected to say before and that is, that on the settlement I propose it shall be final and I will never make claim for another cent, even if I should be starving. You may rest assured of this, and even if my word of honor is not sufficient on that score I will have my lawyer draw up a release which will fully protect you from any further claim. Now my dear Mrs. Stewart I hope that you wont delay, the sooner this business is finished the better for both of us. You may address me through the personal notices in the Herald using my initials, You can then appoint a time and place for our interview.

It is a great pity that so many people are left homeless and starving while there is abundant luxuries in the land. With my own proper rights and means I could do a great deal towards ameliorating the sufferings of this unfortunate class. You have it in your power to work this good. Dont let the golden opportunity pass by. Do justice and right to the afflicted, and to

Your affectionate relative K. S.

Addressed—

Mrs. A T Stewart
New York City,
N Y

Postmarked
Tullahoma, Tenn
June 28

Office of
Campbell and McLemore,
Tullahoma Tenn. *June* 28*th* 1876

Mrs. A T Stewart
New York City
N. Y.

Dear Madam: I take the liberty of mentioning, what I have learned to be a fact, and without

solicitation from any one, and only for the purpose of making known to you an obscure, but very estimable and worthy lady, relative of your lamented husband. The lady to whom I refer is Mrs. Cornelia F. Martin, Daughter of R. A. Stewart of Sommerville Morgan Co. Ala. Mr. Stewart has resided at Sommerville Ala for the last 55 years, raised a family of seven children, all of whom are very respectable, and nearly all doing well. Mr. Stewart has long since died, but his widow is still living.

Your husband and R A Stewart, as I have been informed were Cousins, and both hailing from the same land. Mrs. Cornelia F Martin's husband is an old Merchant, but unfortunately for the last two or three years has been quite an invalid, Suffering Constantly from Neuralgia, and other nervous affections. They have four small Children, and dont understand me that they are in an impoverished condition, they are living economically on formerly acquired means, which may give out, unless Mr. Martin, recovers from his illness. Mrs. Martin now resides here temporarily, for the benefit of her husbands health.

If you desire any further information, you can obtain it from any of the old residents of Summerville, Morgan Co Ala. Please don't understand this as a begging letter. I simply mention what I have for sometime understood to be the facts, and your own good judgment and liberality can determine your action in the premises. A young Mr. Stewart was in your City before the War, as a merchant, and bought goods from your deceased husband, and went home with Mr Stewart and remained during his stay with him, and I understand done all the dealing he done in N Y with your husband.

Respectfully— M. R. CAMPBELL.

Addressed—

Mrs. A T Stewart
New York City
N Y

Postmarked
Boston Mass
June 30 '76

St Peter's Church
Cambridge *June 30th* 1876.

Madam

There is a woman in my parish who has interested some worthy

and prominent people in Cambridge in her, who thinks she is a relative of Mr. Stewart. I magine she may be one of a thousand who have such an *impression*. But as she herself did not originate the idea of making an application to you for charity, but people who have befriended her, I consented to put her case before you to wit—

Her name is Sarah Furbush has lived in Cambridge 5 yrs. Came many years ago from Belfast or *near* Belfast, near a town by such name as Kinnellen Family Names James McNott Margaret Stewart. Conceives Mr Stewart to have been her Mother's Brother's Son. that he lived in a house her Mother was born in. The name Sara Stewart prominent in her mind. She has a silver spoon in her possession with the initials (S / S S) Surmounted by a Star.

Of course the hope is that if there is any correspondence between the above and Mr. Stewarts family residence, family names &c you might feel disposed to be as liberal to her as you are elsewhere.

I simply present the above as briefly as possible at the Suggestion of some gentlemen who have been friends of the woman. She is a worthy modest woman, and poor.

Very respectfully E. M. GURBER, Rector St Peter's Church

Addressed—

Mrs. Cornelia Stewart,
Broadway, New York
U. S. America.

Postmarked,
Lisburn,
June 30, '76.

To Lady A. T. Stewart
Broadway, New York.
America.

The memorial of William Stewart, of Lisburn, County Antrim, Ireland

Showeth:

That memorialist claims to be a Blood Relation of the late A. T. Stewart who died in the City of New York on the 10th April last.

That deceased's father and memorialist's father were Second Cousins.

That deceased had an Uncle called old Thomas Stewart who was always a companion of memorialists and often talked of their relationship until his death about 15 years ago.

That memorialist was born in Lisburn 13th August 1807 and was Baptized in Lisburn Cathedral.

That his father was a native of the neighborhood of Lisburn and is about 61 years dead.

Memorialist therefore humbly implores your Ladyship and the Trustees and Executors of deceased will condescend to take his case into favorable consideration and allow him such proportionate assistance as you and they may deem expedient. And memorialist as in duty bound will ever pray.

WILLIAM STEWART
Lisburn 24 June 1876.

I have known the above named Wm. Stewart for many years and believe the statement he now makes to be perfectly correct.

WALTER T. STANNUS D. C. J. P.

I agree with the statement of Mr. Stannus as given above.

DAVID J. CLARKE,
Pres. Min.

I cannot doubt the foregoing documents.

JOHN POWELL
Presbyterian Minister.

From what Mr. Stannus says above I have much pleasure in also adding my humble name and hope Mr. Stewart will be successful.

MAURICE K. McKAY A. B. T. C. D.
Incumbent St. Matthew. Lisburn
Diocese of Connor.

I have known William Stewart for fully fifty years as an inhabitant of Lisburn, and see no reason to doubt the facts as stated in his memorial.

(Signed) DAVID BEATTY. J. P.
Chairman of Lisburn Town Commissioners
JOHN MILLAR J. P.

P. S.—Any information further required to be directed to Rev Hartley Hudson, Rector of Lisburn Cathedral a copy of whom I annex.

I believe William Stewart who is sending a paper claiming relationship with Alex'r Stewart of New York, to respectable man who would not intentionally make an erronious or untrue statement and I have been acquainted with William Stewart for several years.

H. HUDSON
Lisburn June 26, '76. Rector of Lisburn.

DECLARATION.

COUNTY OF ANTRIM }
To Wit } I William Stewart of Lisburn Co. Antrim, do solemnly and sincerely declare that

The late Alexander T. Stewart's father, and my father were *second* cousins. That said deceased Alexander T. Stewart had an Uncle called old Thomas Stewart who was always a companion of mine and he often talked of our relationship until his death, about 15 years ago.

And I make the above solemn declaration, conscientiously believing the same to be true and by virtue of the provisions of an act made and passed in the 5th ond 6th years of the reign of His Majesty King William the Fourth, for the suppression of Voluntary and Extra Judicial Oaths, and substituting Declarations in lieu thereof.

his
WILLIAM × STEWART,
mark Declarant.

Declared and subscribed before me at Lisburn this 24th day of June 1876

WALTER F. STANNUS J. P.

Stamp	Stamp
W. T. S. June 24, '76.	
Six pence	Six pence

Addressed—
Judge Hilton Esq
Admr of Estate of
A T Stewart Deceased
New York City

Postmarked
Cleveland O.
July 10, '76.

J. B McLaughlin

Geo Schindler

McLaughlin and Schindler
Attorneys and Counsellors at Law
Office 178 Superior Street
Cleveland, O. *July 10th*, 1876.

Judge Hilton
New York City.
Dear Sir

An acquaintance and client called on us, and says that he is a second cousin of A T Stewart, deceased, and son of John Stewart, said party's name is Robert Stewart, of County Antrim Ireland, and he says that Andrew Stewart is a first cousin of A T Stewart and he lives in Ireland, and he believes is living, he says that there is no first cousin by the name of James Bailey. The man by the name of Andrew Stewart is poor, and so is Robert who is a second cousin. Hoping to hear from you soon, we remain

Yours truly
GEORGE SCHINDLER
of McLaughlin & Schindler
Atty.

Addressed—
Mrs. A T Stewart
New York City
Care of N York
Mr Exetor

Postmarked
Overton Tex
July 19.

London Rusk County Texas
July 9th 1876.

Mrs. A T Stewart

Dear Madam, Doubtless you will be some what supprised to recieve a letter from one you have no ida that existed. Though through this medium I can inferm you of a relative of your

estemed and highly lamented husband A T Stewart, I have ben living in Texas for 37 years, in fact Was born her, my parents came her at the early settling of this country, and up to the time of the war had amased considerable property in slaves and as you are aware they ware all set at liberty, although this was the case I fought in the noble army with all my power to prevent it though of no avail, so to-day I am left with but a small pittance and cripled besides. So I have come to the conclusion to ask of your generous hands a small pitiance in the way of a loan of some capital to start in business. If you will advance me $4,000.00 I will give you my word and honor that I will pay every cent of it back in good time with interest.

I know this is presumptious in me but no one aver suceded unless they tried. I presume our political feelings are different though both conciencious each having the right to enjoy the same. I can refer you to our U. S. Senator J. W. Flanigan as to who I am.

If you will comply with the above request you will favour one of the Stewart family from my mothers side. Please give me an answer and when it comes I shall look with pleasure for the favour in the shape of a draft.

Direct to— Overton Rusk Co Texas.

I am Madam your relation

J. E. SMITH

Addressed—

To Mrs. Stewart
Widow of the late Mr. A Stewart
5 Avenue Broadway
New York, America

Postmarked
Belfast
July 12. 76

July 12*th* 1876.
33 Langford St. Belfast

Dear Mrs. Stewart

I think it is my duty to write to you once more it took me by surprize to hear of you receiving 4000 letters I knew it was all false, knowing it could not be because the were only 5 Brothers and 3 Sisters and my mother was one of them which her name was Agnes Stewart I knew the could not be more nor about 40

legal claimers to the Deceased Gentleman, my uncle Robert and my uncle Alexander took a farm of land at a place the call Ballymeward in the parish of Derriaghey County Antrim and the got a joint lease of the farm from the Marqus of Heartford which Dean Stanus was Agent my uncle Alexander sold that farm and bought another at a place the called the lowquarters which is now called the Redhill and he lived in that farm to he died so do not think I am deceiving you for I will forward my imformation before the American Consul on affadavit to prove what I have said to be affect. I thought you would have answered my last letters but treated me with the rest which I think I should not and if the are nothing for the legatees left I expect you will act Honorable with me for I think I am the nearest friend to the deceased unless two families and if you want to know their names I will let you know if you call on me. I think the friends of the deceased might as well receive it as strangers. I hope you will extend your charity to his friends as well as to strangers when you have it in your own hands and I expect you will forward a note to me when you receive this. Yours truly,

STEWART CROW

Addressed—
Mrs. A T STEWART
New York—N Y

Postmark obliterated

Bourbon House
Turney & Co Proprietors—
PARIS KY—*July 19th* 1876

Mrs A T STEWART

Dear Madam

While I feel confidant that I am a Relative of your late worthy Husband and feel proud of the connection of so strong minded and noble hearted man I pen this to express my contempt for those whether Relatives or Pretenders who rise and make claims against his estate, Surely if A T Stewart was competent to amase *Millions* & then then keep it profitably invested (the labor

of one hundred men) surely he was compitent to dispose of it. Few men possessed such a mind & such energy & such integrity

Mrs. Stewart perhaps Someday you may travel through Ky! it is indeed a beautiful & healthy Land: "The Blue Grass Region" is the finest in the World *Should you*, be sure and take *Paris* in your Route & spend a few days with us and I will take my Blooded Ky Team & show you a rich, beautiful & lovely land: show you Kentuckians Pride fine *horses, cattle hemp* & *Blue Grass:* Show you a Husbands love a *true & noble Christian wife:* and a Fathers adoration, three sweet and *good little girls.*

Most Respectfully
and truly
DAN TURNEY

Addressed—
Mrs. A T STEWART
New York City
Fifth Avenue

Postmarked
Cambridgeport Mass
July 20. 1876

CAMBRIDGEPORT *July* 21. 1876

MRS STEWART
Dear Madam

In 72 your Husband A T Stewart gave to me this document to be presented at his disease I have been waiting to have Law Chamberlin to call on you or your Bondsman but he has been very ill and could not attend to it.

it will be very usefull at this time as money is so scarce

Yours very truly
96. Austin St. A. R. COOLEY

I performed a certain amount of labour for him outside of the store

(The document referred to.)

NEW YORK *July* 22. 1872

I hereby will and beqeath to said A R. Cooley two thousand dollars at my death

A T STEWAT
C. H. Chamberlin

Addressed—

Mrs. Cornelia, M, Stewart
Fifth Avenue Street
New York

Postmarked
Knoxville, Tenn.
July 22.

Church Grove—Knox Co: Tenn.
July 21*st* 1876

Mrs. Cornelia M. Stewart—

Dear Aunt, After so long a time I saw your name in the Knoxville Cronical my Fathers Mother and your husband I understand was brother and sister Grand mother was Sarah Jane Stewart from Tyrone Conty Ireland tha emegrated to this cuntry in 1791 I have oftentimes heard father speak of Mr. Stewart, I see he is dead, my dear father and mother is both dead you have my hart felt sympathy in your sore bereavement if it is not asking too much pleas send me your photographs I would so glad to see you both— Please wright soon

MARY H. BRIGHT.

Addressed

Mrs. A. T. Stewart,
Fifth Avenue,
New York, U. S. A.

Postmarked,
Edinburgh,
July 21*st*, 1876.

6 Trafalgar Street,
Leith, *July* 21*st*, 1876.

Madam:

Learning from the public prints of the decease of your late Husband Mr. Stewart and inclining to the beliefe that I was related to him I have taken the liberty of addressing you.

I am the only son of Jane Stewart who belonged to Lisburn, Ireland, and died their about 30 years ago, when I was about 3 years of age. her husband and my fathers name was William Bowden, and I have heard my father say my mother had a brother in America, but my Mother dying and Leaving me so young I never heard any particulars about him but should you be disposed to ask for further particulars I shall be glad to furnish

you additional information as far as I can on hearing from you I beg to enclose my photograph.

I am Madam,

Yours very respectfully,

JOHN BOWDEN

6 Trafalgar Street,
Leith, Scotland.

COUNTY OF NEW YORK. }
SURROGATE'S COURT. }

To the Surrogate of the County of New York:

The Petition of CORNELIA MITCHELL STEWART, of the City of New York, respectfully showeth:

That your petitioner is an Executor named in the last will and testament of Alexander T. Stewart, late of the County of New York, deceased. That the said deceased was, at or immediately previous to his death, an inhabitant of the County of New York, and a citizen of the United States, and departed this life in said County, on the tenth day of April, 1876; and that his said last will and testament relates to both real and personal estate, situate and being within the County of New York.

Your Petitioner further shows that the widow, only heirs and next of kin of said deceased, are your petitioner. That the said deceased left him surviving neither father, mother, brother or sister, or descendants of any or either of them, or any descendants of his, or any relative or next of kin of said deceased. That said deceased left a will with two codicils thereto, and that your petitioner, and Henry Hilton and William Libbey, all of the City of New York, are the Executors named and appointed by said will and codicils: and that said will and codicils were duly executed according to the laws of the State of New York.

That the estate and effects for or in respect of which the Probate of said Will is applied for, exceed in value the sum of Ten Millions of Dollars.

Your petitioner therefore prays, that the said last Will and

Testament, and Codicils thereto, may be proved, and Letters Testamentary granted thereon according to law.

CORNELIA M. STEWART.

CITY AND COUNTY OF NEW YORK, *ss.*:

I, Cornelia M. Stewart, the petitioner named in the foregoing petition, being duly sworn, do depose and say, that I have heard read the foregoing petition, to which I have subscribed my name, and know the contents thereof, and that the matters of fact therein stated are true, and that the matters therein stated of my information and belief, I believe to be true.

CORNELIA M. STEWART.

Sworn this thirteenth day of April, A.D. 1876, before me,

D. C. CALVIN,
Surrogate.

Surrogate's Court.

CITY OF NEW YORK.

In the Matter of Proving the Last Will and Testament, and the Codicils thereto, of ALEXANDER T. STEWART, Deceased, as a Will of Real and Personal Estate.

Examination of witnesses sworn and examined in the above entitled matter.

COUNTY OF NEW YORK, *to wit:*

WILLIAM H. WHITE, Physician, of the City of New York, being duly sworn as a witness in the above entitled matter, and examined on behalf of the applicant to prove said will and codicils, says:

I was well acquainted with Alexander T. Stewart, now deceased. I knew the above-named decedent for about six years before his death. The subscription of the name of said decedent to the instrument now shown to me, and offered for probate as his last will and testament, and bearing date the twenty-seventh day of March, in the year one thousand eight hundred and seventy-three, was made by the decedent at the City of New York, in the presence of myself and Erastus E. Marcy and William P. Smith, the other subscribing witnesses.

At the time of his making such subscription to said will, the said decedent declared the said instrument so subscribed by him to be his last will and testament, and I thereupon signed my name as a witness at the end of said instrument, at the request of said

decedent, and in his presence and in presence of the other subscribing witnesses.

The said decedent, at the time of so executing said instrument, was upwards of the age of twenty-one years, and of sound mind, memory and understanding, and not under any restraint, or in any respect incompetent to devise real estate.

I also saw said Erastus E. Marcy and William P. Smith, the other attesting witnesses, sign their names as witnesses at the end of said will, and know that they did so at the request of said decedent, and in his presence.

W. H. WHITE.

Sworn this Thirteenth day of April, A. D. 1876, before me,

D. C. CALVIN, *Surrogate.*

COUNTY OF NEW YORK, *to wit:*

ERASTUS E. MARCY, Physician, of the City of New York, being duly sworn as a witness in the above entitled matter, and examined on behalf of the applicant to prove said will and codicils, says:

I was well acquainted with Alexander T. Stewart, now deceased. I knew the above-named decedent for about six years before his death. The subscription of the name of said decedent to the instrument now shown to me and offered for probate as his last will and testament, and bearing date the twenty-seventh day of March, in the year one thousand eight hundred and seventy-three, was made by the decedent at the City of New York in the presence of myself and William H. White, and William P. Smith, the other subscribing witnesses. At the time of his making such subscription to said will, the said decedent declared the said instrument so subscribed by him to be his last will and testament, and I thereupon signed my name as a witness at the end of said instrument, at the request of said decedent, and in his presence, and in the presence of the other subscribing witnesses.

The said decedent, at the time of so executing said instrument, was upwards of the age of twenty-one years, and of sound mind, memory and understanding, and not under any restraint, or in any respect incompetent to devise real estate. I also saw said William H. White, and William P. Smith, the other attesting witnesses, sign their names as witnesses at the end of said will, and know that they did so at the request of said decedent, and in his presence.

ERASTUS E. MARCY.

Sworn this thirteenth day of April, A.D. 1876, before me,

D. C. CALVIN, *Surrogate.*

COUNTY OF NEW YORK, *to wit:*

WILLIAM P. SMITH, of the City of New York, being duly sworn as a witness in the above entitled matter, and examined on behalf of the applicant, to prove said will and codicils, says:

I was well acquainted with Alexander T. Stewart, now deceased. I knew the above-named decedent for about thirty-three years before his death. The subscription of the name of said decedent to the instrument now shown to me and offered for probate as his last will and testament, and bearing date the twenty-seventh day of March, in the year one thousand eight hundred and seventy-three, was made by the decedent at the City of New York, in the presence of myself, William H. White, and Erastus E. Marcy, the other subscribing witnesses. At the time of his making such subscription to said will, the said decedent declared the said instrument so subscribed by him to be his last will and testament; and I thereupon signed my name as a witness at the end of said instrument, at the request of said decedent, and in his presence, and in the presence of the other subscribing witnesses.

The said decedent, at the time of so executing said instrument, was upwards of the age of twenty-one years, and of sound mind, memory and understanding, and not under any restraint, or in any respect incompetent to devise real estate. I also saw said William H. White and Erastus E. Marcy, the other attesting witnesses, sign their names as witnesses at the end of said will, and

know that they did so at the request of said decedent, and in his presence.

WM. P. SMITH.

Sworn this 13th day of April, A. D. 1876, before me,

D. C. CALVIN, *Surrogate.*

COUNTY OF NEW YORK, *to wit:*

CORNELIA STEWART BUTLER, formerly Cornelia Stewart Smith, of the City of New York, being duly sworn as a witness in the above entitled matter, and examined on behalf of the applicant to prove said will and codicils, says: I was well acquainted with Alexander T. Stewart, now deceased. I knew the above-named decedent for about twenty-five years before his death. The subscription of the name of said decedent to the instrument now shown to me, and offered for probate, as a codicil to his last will and testament, and bearing date the twenty-seventh day of March, in the year one thousand eight hundred and seventy-three, was made by the decedent at the City of New York, in the presence of myself and William H. White, the other subscribing witness. At the time of his making such subscription to said codicil, the said decedent declared the said instrument so subscribed by him to be a codicil to his last will and testament, and I therefore signed my name as a witness at the end of said instrument, at the request of said decedent, and in his presence, and in the presence of the other subscribing witness.

The said decedent, at the time of so executing said instrument, was upwards of the age of twenty-one years, and of sound mind, memory and understanding, and not under any restraint, or in any respect incompetent to devise real estate. I also saw said William H. White, the other attesting witness, sign his name as a witness at the end of the said codicil to said will, and know that he did so at the request of said decedent, and in his presence.

CORNELIA STEWART BUTLER.

Sworn this thirteenth day of April, A. D. 1876, before me,

D. C. CALVIN, *Surrogate.*

County of New York, *to wit.:*

William H. White, Physician, of the City of New York, being duly sworn as a witness in the above entitled matter, and examined on behalf of the applicant to prove said will and codicils, says: I was well acquainted with Alexander T. Stewart, now deceased. I knew the above-named decedent for about six years before his death. The subscription of the name of said decedent to the instrument now shown to me and offered for probate as a codicil to his last will and testament, and bearing date the twenty-seventh day of March, in the year one thousand eight hundred and seventy-three, was made by the decedent at the City of New York in the presence of myself and Cornelia Stewart Butler, formerly Cornelia Stewart Smith, the other subscribing witness. At the time of his making such subscription to said codicil, the said decedent declared the said instrument so subscribed by him, to be a codicil to his last will and testament; and I thereupon signed my name as a witness at the end of said instrument at the request of said decedent, and in his presence, and in the presence of the other subscribing witness.

The said decedent, at the time of so executing said instrument, was upwards of the age of twenty-one years, and of sound mind, memory and understanding, and not under any restraint or in any respect incompetent to devise real estate. I also saw said Cornelia Stewart Butler, formerly Cornelia Stewart Smith, the other attesting witness, sign her name as a witness at the end of said codicil to said will, and know that she did so at the request of said decedent, and in his presence.

W. H. WHITE.

Sworn this thirteenth day of April, A. D. 1876, before me,

D. C. Calvin, *Surrogate.*

County of New York, *to wit.:*

William H. White, Physician, of the City of New York, being duly sworn as a witness in the above entitled matter, and examined on behalf of the applicant to prove said will and codi-

cils, says: I was well acquainted with Alexander T. Stewart, now deceased. I knew the above-named decedent for about six years before his death. The subscription of the name of said decedent to the instrument now shown to me and offered for probate as a codicil to his last will and testament, and bearing date the twenty-eighth day of March, in the year one thousand eight hundred and seventy-three, was made by the decedent at the City of New York, in the presence of myself and Edward B. Hilton, the other subscribing witness. At the time of his making such subscription to said codicil, the said decedent declared the said instrument so subscribed by him to be a codicil to his last will and testament, and I thereupon signed my name as a witness at the end of said instrument, at the request of said decedent, and in his presence, and in the presence of the other subscribing witness.

The said decedent, at the time of so executing said instrument, was upwards of the age of twenty-one years, and of sound mind, memory and understanding, and not under any restraint, or in any respect incompetent to devise real estate. I also saw said Edward B. Hilton, the other attesting witness, sign his name as a witness at the end of said codicil to said will, and know that he did so at the request of said decedent, and in his presence.

W. H. WHITE.

Sworn this thirteenth day of April, A. D. 1876, before me,

D. C. CALVIN, *Surrogate.*

CITY AND COUNTY OF NEW YORK, *to wit:*

EDWARD B. HILTON, of the City of New York, being duly sworn as a witness in the above entitled matter, and examined on behalf of the applicant, to prove said will and codicils, says: I was well acquainted with Alexander T. Stewart, now deceased. I knew the above-named decedent for about twenty years before his death. The subscription of the name of said decedent to the instrument now shown to me and offered for probate, as a codicil to his last will and testament, and bearing date the twenty-eighth day of March, in the year one thousand eight hundred and seventy-

three, was made by the decedent, at the City of New York, in the presence of myself and William H. White, the other subscribing witness. At the time of his making such subscription to said codicil, the said decedent declared the said instrument so subscribed by him to be a codicil to his last will and testament, and I thereupon signed my name as a witness at the end of said instrument, at the request of said decedent, and in his presence, and in the presence of the other subscribing witness.

The said decedent, at the time of so executing said instrument, was upwards of the age of twenty-one years, and of sound mind, memory and understanding, and not under any restraint, or in any respect incompetent to devise real estate. I also saw said William H. White, the other attesting witness, sign his name as a witness at the end of said codicil to said will, and know that he did so at the request of said decedent, and in his presence.

EDWARD B. HILTON.

Sworn this thirteenth day of April, A. D. 1876, before me,

D. C. CALVIN, *Surrogate.*

COUNTY OF NEW YORK, *ss.:*

Recorded the last will and testament and codicils thereto of Alexander T. Stewart, deceased, as a will of real and personal estate, together with the proofs and examinations taken and had in the Court of the Surrogate of the County of New York, relating to the said last will and testament, which said record is hereby signed and certified by me, pursuant to the provisions of the Revised Statutes, the 13th day of April, in the year of our Lord one thousand eight hundred and seventy-six.

DELANO C. CALVIN,
Surrogate.

WILL OF ALEX. T. STEWART.

In the name of God, amen. I, ALEXANDER T. STEWART, of the City and State of New York, merchant, being of sound mind, memory, and understanding, do make, publish, and declare this my last will and testament, viz.:

I. All my property and estate, of any and every kind and description, and wherever situated, I give, devise, and bequeath to my dear wife, Cornelia M. Stewart, her heirs and assigns forever.

II. I specially appoint Henry Hilton, of the City of New York, to act for me and in behalf of my estate in managing, closing and winding up my partnership business and affairs, and I empower him in respect thereto, as fully as I may or can or am authorized to do in and by the articles of co-partnership of the firm of Alexander T. Stewart & Co. Further, I authorize and direct the said Hilton, while so acting in behalf of my estate and in my place and stead, to exercise a sound discretion in bringing my said partnership affairs to a termination and discharging all obligations connected therewith. Trusting to his judgment that he will so act in respect thereto as to avoid, as far as can be avoided, any unnecessary loss to those connected with me in business. For which service, and as a mark of my regard, I give to said Hilton one million of dollars.

III. Revoking and annulling all other wills by me at any time heretofore made, I do declare this to be my last will and testament. And I do appoint as Executors hereof my dear wife, Cornelia M. Stewart, and my friends Henry Hilton and William Libbey, all of the City and State of New York.

In witness whereof, I, the said Alexander T. Stewart, have hereunto set my hand and affixed my seal this 27th day of March, in the year 1873.

ALEXANDER T. STEWART. [L. S.]

Signed, sealed, published, and declared by the testator, in the presence of each of us, as his last will and testament; and we, in his presence, and in the presence of each other, and at his request,

have signed our names as subscribing witnesses to such execution.

WILLIAM P. SMITH,
Thirty-Fourth Street, Fifth Avenue, New York.
WILLIAM B. LYNCH,
Fifth Avenue, Thirty-Fourth Street, New York.
W. H. WHITE,
No. 228 *Fifth Avenue, New York City.*
E. E. MARCY, M.D.,
No. 396 *Fifth Avenue, New York City.*

THE FIRST CODICIL.

Whereas, I, ALEXANDER T. STEWART, of the City of New York, have made and duly executed my will, bearing date the 27th day of March, 1873;

Now, I declare this present writing to be a codicil to my said will, and I direct the same to be annexed thereto and taken as a part thereof.

Whereas, it is my wish at this time to suitably remember various persons, and I therefore direct that my Executors shall, from my estate, pay out and discharge the following gifts or legacies, viz.:

To George B. Butler, the sum of twenty thousand dollars.
To John M. Hopkins, the sum of ten thousand dollars.
To A. K. P. Cooper, the sum of ten thousand dollars.
To Edwin James Denning, the sum of ten thousand dollars.
To John T. Green, the sum of ten thousand dollars.
To George H. Higgins, the sum of ten thousand dollars.
To Henry H. Rice, the sum of five thousand dollars.
To John De Brot, the sum of five thousand dollars.
To Robert Protheroe, the sum of five thousand dollars.
To ——— Dodge, the sum of five thousand dollars.
To Hugh Connor, the sum of five thousand dollars.
To William Armstrong, the sum of five thousand dollars.

Each of whom have long and faithfully served me in my business affairs.

Also, pay to William P. Smith the sum of five thousand dollars.

To William Lynch, the sum of two thousand five hundred dollars.
To Martha Turner, the sum of twenty-five hundred dollars.

To Rebecca Turner, the sum of two thousand five hundred dollars.
To Sarah Turner, the sum of five hundred dollars.
To James Cummings, the sum of one thousand dollars.
To Edward Thompson, the sum of one thousand dollars.
To Michael Riordan, the sum of five hundred dollars.

All faithful servants of my household.

And whereas, I desire to testify my sincere regard for Sarah Morrow and Rebecca Morrow, now residing at No. 30 East Thirty-ninth Street, in the City of New York, the friends of early years, and at whose father's house I enjoyed in my youth a hospitality and welcome which I cannot forget or repay.

It is, therefore, my will, and I so direct, that my Executors shall set apart from my estate a sum sufficient to produce an annuity of twelve thousand dollars in quarter-yearly installments; such sum of money so set apart I give to my Executors, in trust, to hold, manage, invest, and reinvest during the lives of the said Sarah and Rebecca Morrow, and until both shall die; and from the income and proceeds thereof to pay over to said Sarah and Rebecca such annuity of twelve thousand dollars in equal shares during their joint lives, and upon the death of either then to pay the whole such annuity to the survivor during her life. Such payments to be made in quarter-yearly installments in advance, and commencing on the day my said will shall be admitted to probate.

Further, I do give to the said Sarah and Rebecca Morrow, and to the survivor of them, the use during life of the said house and premises now occupied by them, known as No. — East Thirty-ninth Street, in the City of New York, together with the furniture, &c., contained therein, free from all taxes, assessments, &c.

Lastly, I give to Ellen B. Hilton, the wife of my friend Henry Hilton, the sum of five thousand dollars.

Finally, I ratify and confirm my said will, dated March 27, 1873, in every respect except, so far as the bequest therein to my wife is diminished or modified by the various gifts, legacies, and provisions herein contained.

In witness whereof, I, the said Alexander T. Stewart, have hereunto set my hand and seal this 27th day of March, 1873.

L. S.

ALEXANDER T. STEWART.

Signed, sealed, published, and declared by the testator in the presence of each of us, as a codicil to be attached to, and form a part of, his last will and testament, dated the 27th day of March, 1873, and we, in his presence, and in the presence of each other, and at his request, have signed our names as subscribing witnesses to such execution.

CORNELIA STEWART SMITH,
Fifth Avenue and Thirty-fourth Street, New York.

W. H. WHITE,
No. 228 Fifth Avenue, New York.

THE SECOND CODICIL.

Whereas, I, ALEXANDER T. STEWART, of the City of New York, have made and duly executed my will, bearing date the 27th day of March, 1873, and also made and attached a codicil thereto of a like date;

Now I declare this present writing to be a second codicil to my said will, and direct that the same be annexed thereto and form a part thereof.

Whereas, it is my desire further to suitably remember various persons kindred of my dear wife, therefore I direct that my Executors shall, from my estate, pay out and discharge the following gifts or legacies, viz.:

To Charles P. Clinch, the sum of ten thousand dollars.

To Anna Clinch, the sum of ten thousand dollars.

To Julia Clinch, the sum of ten thousand dollars.

To Emma Clinch, the sum of ten thousand dollars.

To Sarah Smith (wife of J. Lawrence Smith), the sum of ten thousand dollars.

To her daughter, Cornelia S. Smith, the sum of ten thousand dollars.

And whereas, also, I further desire that the said Anna, Julia, and Emma Clinch shall continue in the use and enjoyment of the house and lot of land No. 115 East Thirty-fifth Street, in the

City of New York, as now occupied by them, with the furniture, &c.. I therefore give to them jointly and severally the use and enjoyment of said house and lot of land, with the furniture, &c., for and during the lives of the said Julia and Emma Clinch, and during the life of each of them.

Such life estate and use to be free of all charges for taxes, assessments, or otherwise.

Lastly, I direct that my Executors shall pay to Charles J. Clinch the sum of ten thousand dollars.

Finally, I ratify and confirm my said will dated March 27, 1873, in every respect except so far as the bequest therein to my wife is diminished or modified by the various gifts, legacies, and provisions herein and in said first codicil contained.

In witness whereof, I, the said Alexander T. Stewart, have hereunto set my hand and seal this 28th day of March, in the year 1873, (one thousand eight hundred and seventy-three.)

ALEXANDER T. STEWART, [L. S.]

Signed, sealed, published, and declared, by the testator, in the presence of each of us, as a codicil to be attached to, and form a part of, his last will and testament, dated March 27, 1873.

And we, in his presence and in the presence of each other, and at his request, have signed our names as subscribing witnesses to such execution.

W. H. WHITE,
228 Fifth Avenue, New York City.
EDWARD B. HILTON,
No. 73 Fifth Avenue, New York City.

LETTER TO HIS WIFE.

NEW YORK, *March* 29, 1873.

TO MY DEAR WIFE:—It has been and is my intention to make provision for various public charities; but as any scheme of the kind I propose will need considerable thought and elaboration, I

have made my will with the codicils in their present shape to guard against any contingency, knowing I may rely upon your supplying all deficiencies on my part.

I hope and trust my life may be spared so that I may complete the various plans for the welfare of our fellow-beings which I have already initiated; but should it be ruled otherwise I must depend upon you, with such aid as you may call about you, to carry out what I have begun.

Our friend Judge Hilton will, I know, give you any assistance in his power, and to him I refer you for a general understanding of the various methods and plans which I have at times with him considered and discussed.

I am not unaware also of the fact that there are many who have served me faithfully and well in my business and otherwise, who should be recognized and rewarded, but for whom I have as yet made no special provision. Your own recollection, aided by Judge Hilton's knowledge on this subject, will doubtless bring these persons to your attention, and I feel satisfied that their claims will be justly considered by you.

Especially, however, I do desire that you will ascertain the names of all such of my employés who have been with me for a period of ten years and upward. And I request that to each of those who have been in my employment for a period of twenty years shall be paid one thousand dollars; while to each of those who have been with me for ten years shall be paid five hundred dollars.

ALEXANDER T. STEWART.

At a Surrogate's Court, held in and for the County of New York, at the Surrogate's Office, in the City of New York, on the 13th day of April, A. D., 1876.

Present—DELANO C. CALVIN, Esq., *Surrogate.*

In the matter of Proving the last Will and Testament and Codicils thereto

of

ALEXANDER T. STEWART, deceased, as a Will of Real and Personal Property.

It satisfactorily appearing to me by the petition of Cornelia M Stewart, the widow of the said Alexander T. Stewart, deceased, that the said deceased left him surviving neither father, mother, brother, sister, or descendants of any or either of them, or any descendants of his, or any relative or next of kin; and that the said deceased left a Will with two Codicils thereto; and no objections being made or filed to the probate of said last Will and Testament and Codicils thereto of Alexander T. Stewart, late of the City and County of New York, deceased, bearing date the twenty-seventh day of March, A. D., 1873; one of said Codicils bearing date the 27th day of March, A. D. 1873, and the other of said Codicils bearing date the 28th day of March, A. D. 1873; and the witnesses to the same having been examined and proofs taken before me,

Now, upon mature deliberation, it is adjudged that the said instrument in writing and the Codicils thereto, purporting to be the last Will and Testament of the said Alexander T. Stewart, deceased, and said Codicils thereto, were, and each of them was,

properly executed, and are valid; that the said Alexander T. Stewart, at the time of the execution of the said instrument and Codicils thereto, was of full age, and was in all respects competent to execute the same, and was not under restraint or undue influence, and that the said Instrument and Codicils thereto be, and the same hereby are, admitted to probate as a Will of Real and Personal Estate.

A true copy.

(Signed), D. C. CALVIN, *Surrogate.*

STATE OF NEW YORK,
COUNTY OF NEW YORK, } ss.:

I do hereby certify that the preceding copies of the last Will and Testament of ALEXANDER T. STEWART, late of the City of New York, deceased, and of the Codicils thereto, said Will bearing date March 27, A. D. 1873, one of said Codicils bearing date March 27, A. D. 1873, and the other of said Codicils bearing date March 28, A. D. 1873, have been admitted to probate by me, and are duly recorded in this office; and that the preceding copies of said last Will and Testament, and of the said Codicils thereto, and of the decree admitting the same to probate, are true copies of the original Will and Codicils, and of said decree, and the whole of said originals.

IN TESTIMONY WHEREOF, I have caused the seal of office of the said Surrogate to be hereto annexed. Witness, Delano C. Calvin, Esquire, Surrogate of the County of New York, at the City of New York, the fifteenth day of April, in the year of our Lord one thousand eight hundred and seventy-six, and of our independence the one hundredth.

[L. S.] D. C. CALVIN, *Surrogate.*

Surrogate's Court,

COUNTY OF NEW YORK.

In the Matter of Proving the Instrument Propounded as the Last Will and Testament of Alexander Turney Stewart, deceased.

To the Hon. Delano C. Calvin,

Surrogate of the County of New York:

The petition of James Bailey of the City of Brooklyn, County of Kings, and State of New York, in his own right, and on behalf of the other collateral relatives hereinafter named, respectfully shows:

1st.—That your petitioner, with his brother, Thomas Bailey of Hempstead, Long Island, and his sisters, Mary Deans of the City, County, and State of New York, and Ann Jane Bailey of Brooklyn aforesaid, and Eliza, now or late of Glasgow, Scotland, or her issue, and Augustus M. Turney, George W. Turney, Samuel Turney, James Turney, William H. Turney, Catherine E. Turney, Lucretia M. Turney, all of the City, County, and State of New York, aforesaid, and Winthrop Turney, infant child of the late Paschal W. Turney, deceased, and Margaret Richardson, Sarah Harvey, and Margaret McWilliams, all of Brooklyn aforesaid, and John H. Turney of San Francisco, in the State of California, are collateral relatives of the full blood, and (saving any question of mutual precedence or exclusion) heirs-at-law and next of kin of the late Alexander Turney Stewart, who died in the City of New York, on the 10th day of April, A. D. 1876.

2d.—That, as your petitioner is informed and believes, and therefore alleges, a certain paper writing, bearing date the 27th day of March, A. D. 1873, purporting to be the last will and testament of the said Alexander Turney Stewart, appointing Henry Hilton and William Libbey executors, and Cornelia M. Stewart executrix thereof, and a certain other paper writing, bearing date on the same 27th day of March, 1873, and purporting to be a codicil to the said alleged will, and a certain other paper writing, bearing date on the 28th day of March, 1873, purporting to be a second codicil to the said alleged will, were, at some time in the evening or night time of the 13th day of April, 1876, presented to the Surrogate of the County of New York, and application was made to him for the admission thereof to probate and record as a will of both real and personal estate.

That thereupon, and on the next day thereafter, to wit, the 14th day of April, 1876, letters testamentary were issued by the said Surrogate, and the said alleged will and codicils were recorded in the office of the said Surrogate as if the same had been duly proved as a will of real and personal estate.

3d.—That no citation or other notice to appear or attend the probate of the said alleged will was issued or directed to or served upon your petitioner, or any of the heirs-at-law or next of kin of the said Alexander Turney Stewart, as required by sections 5, 6, 7 and 8 of Chapter 460 of the Laws of 1837, nor was any such citation issued or directed to or served upon the Attorney-General of the State of New York, or any one representing the People of the State of New York, as should have been done if there were a failure of heirs-at-law.

That no opportunity was afforded to your petitioner, or any of the said heirs-at-law or next of kin, to require that all the witnesses to the said alleged will should be produced and examined as they were entitled to do by Section 11 of the said Chapter 460 of the Laws of 1837, or to request that any other witnesses should be examined as they were entitled to do by Chapter 129 of the Laws of 1841, or to be present at, or in any manner to contest the proof of the said alleged will.

That the application for probate and record as aforesaid, of the said alleged will, and such pretended proof as may have been

offered thereof, were not made publicly or openly, or at the court room or office or usual place of business of the Surrogate of the County of New York, but were made at night, privately, secretly, and in great and unusual haste, upon the same day with the funeral of the said Alexander Turney Stewart, and without any notice or intimation whatever to your petitioner, or, as he is informed and believes, to any of the said heirs-at-law or next of kin.

4th.—That the said paper writings are not the last will and testament and codicils of the said Alexander Turney Stewart, deceased.

That the said paper writing purporting to be such last will and testament, and said several papers purporting to be codicils thereto, were obtained, and the alleged execution thereof by the said Alexander Turney Stewart, was procured by circumvention and undue influence practiced against and upon said Alexander Turney Stewart by Henry Hilton, or some other person unknown to the petitioner.

5th.—That your petitioner, and others of the said heirs-at-law and next of kin, contest and will contest the probate of the said alleged will.

6th.—That the only legatees or devisees named in the said alleged will, are Cornelia M. Stewart and Henry Hilton, and the only legatees or devisees named in the said alleged first codicil are—

George B. Butler, John M. Hopkins, A. K. P. Cooper, Edwin James Denning, John T. Green, George H. Higgins, Henry H. Rice, John De Brot, Robert Protheroe, Dodge, Hugh Connor, William Armstrong, William P. Smith, William Lynch, Martha Turner, Rebecca Turner, Sarah Turner, James Cummings, Edward Thompson, Michael Riordan, Sarah Moore, Rebecca Morrow, and Ellen B. Hilton.

The only legatees or devisees named in the said alleged second codicil are Charles P. Clinch, Anna Clinch, Julia Clinch, Emma Clinch, Sarah Smith, wife of J. Lawrence Smith, Cornelia S. Smith, and Charles J. Clinch.

Wherefore, your petitioner prays that the pretended probate of the said alleged will and codicils and the apparent decision thereon may be declared void and of no effect and may be revoked, vacated and set aside, and that your petitioner may have such other and further relief in the premises, as to the Court may seem proper, and as he is entitled to by law.

(Sd.) JAS. BAILEY.

Dated New York, May 31st, 1876.

ELIHU ROOT,
Proctor for Petitioner.

WM. D. BOOTH,
WILLIAM O. BARTLETT,
Of Counsel.

City and County of New York, ss.:

I, James Bailey, the petitioner named in the foregoing petition, being duly sworn, depose and say, I am a son of James Bailey and his wife Mary Stewart; my mother was the sister of Alexander T. Stewart's father; I reside in the City of Brooklyn; I have read the foregoing petition to which I have subscribed my name, and know the contents thereof. The matters of fact therein stated are true, and the matters therein stated of my information and belief I believe to be true.

JAS. BAILEY.

Sworn to before me, this
31st day of May, 1876,
GEO. T. HANNING,
Notary Public,
N. Y. Co.

The Order to show cause why the pretended probate of the will should not be declared void, granted by the Surrogate:

SURROGATE'S COURT,

COUNTY OF NEW YORK.

In the matter of Proving the Instrument Propounded as the Last Will and Testament of ALEXANDER TURNEY STEWART, deceased.

Upon reading and filing the petition of James Bailey, verified May 31, 1876, and upon all the proceedings heretofore had in the matter of proving the instrument propounded as the last will and testament of Alexander Turney Stewart, deceased. Let the several persons named in the said instrument as executors, devisees and legatees appear and attend before me at the office of the Surrogate of the County of New York, in the City of New York, on the 15th day of June, 1876, at 11 o'clock in the forenoon of that day, and show cause, if any there be, why the pretended probate of the said instrument as a will of real and personal estate, and the apparent decision thereon, should not be adjudged void and be revoked, vacated and set aside; and the petitioner have such other and further relief as may be just and according to law, and why the prayer of the said petition should not in all things be granted.

New York, May 31, 1876.

D. C. CALVIN,
Surrogate.

(Copy.)

Original filed May 31, 1876.

A true copy.

{ N. Y. Surrogate's Seal. }

MORGAN A. DAYTON, JR.,
Clerk to the Surrogate's Court.

SURROGATE'S COURT,

COUNTY OF NEW YORK.

In the matter of proving the instrument propounded as the last Will and Testament

of

ALEXANDER T. STEWART,
Deceased.

The answer of Cornelia M. Stewart, Executrix, and Henry Hilton and William Libbey, Executors of the last Will and Testament of Alexander T. Stewart, deceased, to the petition of James Bailey, of the City of Brooklyn.

1. The said executrix and executors aver that the said Cornelia M. Stewart was married to the said Alexander T. Stewart, deceased, in the City of New York, on the 16th day of October, 1823, and lived with him as his wife in said City up to the time of his death on the 10th day of April, 1876, and survived him as his widow.

2. These respondents deny, upon information and belief, that the said petitioner or the persons mentioned in the first clause of said petition, or any or either of them, are collateral relations of the full blood, or are heirs-at-law or next of kin of the said Alexander T. Stewart, late of the City of New York, deceased.

3. These respondents further aver that the said will and the said codicils thereto were duly proved before the Surrogate of the County of New York, on the 13th day of April, 1876, as by reference to the proofs thereof on file and of record in the office of said Surro-

gate will more fully appear. That said will and codicils were duly admitted to probate by the said Surrogate as a will of real and personal estate, and that letters testamentary were duly issued by the said Surrogate to the persons named in said will, being these respondents as executrix and executors thereof, and who thereupon duly qualified as such and entered upon the performance of the duties of their office, and the said will and codicils were duly recorded in the office of said Surrogate as duly proved as a will of real and personal estate.

4. These respondents aver that the application for probate of said will and codicils was made publicly and openly.

And they deny that the proofs thereof were made privately or secretly, or in great or unusual haste; that the said Alexander T. Stewart, at the time of his death, was extensively engaged in mercantile affairs and in the improvement of large amounts of real estate and had a very large number of persons in his employment; that it was essential, to save said business from interruption and said estate from loss, that no cessation in the management of its affairs should take place, and inasmuch as the Surrogate could not attend to said probate on the following day the probate thereof was made on the evening of the funeral of the testator, and at the late residence of the testator, for the convenience of his widow, one of these respondents.

That these respondents have always been informed by said Alexander T. Stewart that he had no relative or next of kin living, and these respondents had never been informed, or had any intimation or suspicion, that the said Alexander T. Stewart left him surviving any collateral relatives, heirs-at-law, or next of kin; and these respondents, from information and belief, aver that the statements of the said Cornelia M. Stewart for the probate of said will and codicils in respect thereto are true.

5. These respondents aver that the said paper writings, so admitted to probate by the said Surrogate, are the last will and testament of the said Alexander T. Stewart, deceased; and these respondents deny that such last will and testament, and the codicils thereto, or either of them, or the execution thereof, were procured from the said Alexander T. Stewart by circumvention,

or any influence, undue or otherwise, practiced against or upon him by Henry Hilton, or any other person whomsoever.

6. These respondents aver that since the issuance of the said letters testamentary they have paid and discharged all the specific legacies mentioned in said will and codicils out of and from the personal estate of the said Alexander T. Stewart, deceased, and have received due and effectual discharges from said several legatees of and from the same.

CORNELIA M. STEWART,
HENRY HILTON,
WILLIAM LIBBEY.

CITY AND COUNTY OF NEW YORK, *ss.:*

We, Cornelia M. Stewart, executrix, and Henry Hilton and William Libbey, executors, named in the foregoing answer, do depose and say, and each deposeth and saith, that I have read the foregoing answer to which I have subscribed my name, and know the contents thereof. The matters of fact therein stated are true, and the matters therein stated on information and belief I believe to be true.

CORNELIA M. STEWART.
HENRY HILTON.
WILLIAM LIBBEY.

Sworn to before me, this 13th day of June, 1876,

HENRY S. ROCKENBAUGH,
Notary Public,
New York City and Co.

SURROGATE'S COURT,

COUNTY OF NEW YORK.

In the matter of proving the instrument propounded as the last Will and Testament of ALEXANDER T. STEWART, deceased.

The answer of Cornelia M. Stewart, of the City of New York, to the petition of James Bailey of the City of Brooklyn:

1. The said Cornelia M. Stewart avers, that she was married to the said Alexander T. Stewart, deceased, in the City of New York on the 16th day of October, 1823, and lived with him as his wife in said city up to the time of his decease on the 10th day of April, 1876, and survived him as his widow.

2. The said Cornelia M. Stewart has no knowledge or information sufficient to form a belief whether the said petitioner or the other persons mentioned in the first clause of said petition, or any or either of them, are collateral relatives of the full blood, or are heirs-at-law or next of kin of the said Alexander T. Stewart, late of the City of New York, deceased, and therefore, deny that they are such relatives.

3. The said Cornelia M. Stewart avers, that the said will and the said codicils thereto were duly proved before the Surrogate of the County of New York on the 13th day of April, 1876, as by reference to the proofs thereof on file and on record in the office of said Surrogate will more fully appear.

That the said will and codicils were duly admitted to probate by said Surrogate as a will of real and personal estate, and that letters testamentary were duly issued by the said Surrogate to the persons named in said will as executrix and executors thereof,

and who thereupon duly qualified as such; and the said will and codicils were duly recorded in the office of said Surrogate as duly proved as a will of real and personal estate.

4. The said Cornelia M. Stewart avers, that the application for probate of such will and codicils and the proofs thereof were made publicly and openly, and denies that the same were made privately or secretly, or in great or unusual haste.

That the said Alexander T. Stewart at the time of his death was extensively engaged in mercantile affairs and in the improvement of large amounts of real estate and had a very large number of persons in his employment. That it was essential to save said business from interruption and said estate from loss that no cessation in the management of its affairs should take place, and therefore and inasmuch as the Surrogate could not attend on the following day, the proofs thereof were made on the evening of the funeral of the testator and at the dwelling of this respondent for her convenience.

That this respondent having always been informed by the said Alexander T. Stewart that he had no relative or next of kin living, and this Respondent never having any information or suspicion that the said Alexander T. Stewart left him surviving any collateral relatives heirs-at-law, or next of kin, so stated in her petition for the probate of said will and codicils; and this respondent verily believes that the statements therein in respect thereto are true.

5. This respondent further says and states that the said paper writings are the last Will and Testament and Codicils of the said Alexander T. Stewart, deceased, so far as she has any knowledge, and upon her information and belief she avers them so to be.

And she avers and states that the same were, so far as she has any knowledge thereof, the uninfluenced and intelligent acts of her said deceased husband, and she denies upon her information and belief that the same were, or that either of them was, obtained or the execution thereof procured by any circumvention or undue influence practiced against or upon the said Alexander T. Stewart by Henry Hilton or any other person.

This respondent further avers and states that during her long wedded life she never heard her said deceased husband speak of the Petitioner or either of the persons named in the petition herein as his relatives as in any way related to him by blood or marriage; that neither of said persons were ever recognized as a relative by her said husband to her knowledge or belief, nor did either of them ever during his life, to the knowledge of this respondent, maintain any social relations with him or his family.

CORNELIA M. STEWART.

CITY AND COUNTY OF NEW YORK, *ss.:*

I, CORNELIA M. STEWART, the respondent named in the foregoing answer, being duly sworn, doth depose and say that I have read the foregoing answer, to which I have subscribed my name, and know the contents thereof; the matters of fact therein stated are true, and the matters therein stated on information and belief I believe to be true.

CORNELIA M. STEWART.

Sworn to before me, this 13th day of June, 1876.

HENRY S. ROCKENBAUGH,
Notary Public,
N. Y. City and Co.

BEFORE THE SURROGATE

OF THE CITY AND COUNTY OF NEW YORK.

IN THE MATTER OF the Last Will and Testament
of
ALEXANDER T. STEWART,
Deceased.

CITY AND COUNTY OF NEW YORK, *ss.:*

HENRY HILTON, of the City of New York, being duly sworn, deposes and says, I knew the late Alexander T. Stewart, deceased, intimately for over twenty years prior to his death, which occurred on April 10th, 1876.

His last will and testament, bearing date March 27th, 1873, and the codicils attached, were drawn by me under directions received from the said Alexander T. Stewart at the time of their date. He was then in the full vigor of his intellect and memory, and at the time of receiving such directions from him no other person than myself was present. I did not then or at any time influence or attempt to influence him in respect thereto, nor did I see or know of any other person doing so. Until after his death I never communicated the contents of the will or codicils to his wife Cornelia M. Stewart, or to any other person.

For many years past I have been in the employ of the said Alexander T. Stewart, assisting in the conduct and management of his property and affairs, and having from him a general knowledge of his plans and purposes.

His business has generally been supposed to be the greatest of a mercantile character in this country, if not in the world, and

has for many years required the constant employment of many thousands of persons here and in Europe.

During the whole period of my acquaintance with Mr. Stewart, to my knowledge he has personally directed, managed and controlled said business with the employees therein to the fullest extent which, as I believe, it was possible for any one person to do. He so directed and controlled up to within a few days of his death, and his directions were given and followed from his sick room with the same care and precision as when he was in health.

For many years past I have frequently heard him remark that he did not know of the existence of a single blood relative, and it has over and again, during the same period, been published in the newspapers of this country and Europe, when writing of him, that he had no known blood relative living. During the period of my acquaintance I have been a frequent visitor at his residence, and a frequent guest at his table. I never saw at his house or at his places of business or anywhere, when traveling with him, as I frequently did both in this country and in Europe, a person whom he recognized or spoke of as being a blood relative, nor did I ever hear any person say that he was such a relative.

At the time of the death of Mr. Stewart I had, under his direction, general charge of his affairs, particularly those affecting his individual property, and was acquainted with his various plans, contracts, and engagements connected therewith. That since his death, acting under a power of attorney from Mrs. Cornelia M. Stewart, who, under his will, succeeded to all his property, I have continued the carrying forward of such plans, &c. In general terms these involved the construction and completion of an extensive addition to the Grand Union Hotel and grounds and property at Saratoga Springs, N. Y., and the refurnishing and refitting of several hundred rooms in the old portion of the hotel.

The expenditure under this head will, as I believe, exceed three hundred and fifty thousand dollars, the greater part of which has been already paid or incurred.

These plans also involved the construction of water works, gas works, and railway machine shops at Garden City, L. I., and the laying out of about ten miles of gas and water pipes, and the machinery connected therewith.

The expenditure under this head, paid or incurred, or to be incurred as aforesaid, will probably exceed three hundred thousand dollars, and may reach half a million of dollars.

These plans further involved the completion of the Woman's Home or Hotel on Fourth Avenue, in this city, intended as a public institution for the benefit of working women. Since the death of Mr. Stewart this work has been pushed with a view to its early completion. The building contains about five hundred rooms, each of which is to be provided with water, steam, heat, furniture, &c. A large force of workmen have been for some weeks at work upon it, under contracts made by Mr. Stewart before his death, and also under contracts made by Mrs. Stewart, through me, since his death. Specifications are now out for completing the building, and it is desirable that no interruption should occur in its progress that the final painting, furnishing, and completion may be reached as soon as possible.

It is quite difficult at present to accurately estimate the amount of money required by the plan for completing and furnishing this building, but I believe it will exceed three hundred and fifty thousand dollars.

In addition to all these expenditures already made or entered upon, there have been paid and extinguished since April 10th, 1876, various other financial engagements of the said Alexander T. Stewart to the amount of millions of dollars, besides paying, satisfying and discharging all the specific legacies left by his said will of March 27th, 1873, and paying upwards of two hundred thousand dollars to various ten and twenty years employees, pursuant to the request contained in his letter to Mrs. Stewart, dated March 29th, 1873.

Finally, I have in my possession a last Will and Testament, duly made and executed according to the laws of this State by the said Alexander T. Stewart, in his lifetime, and bearing date May 1st, 1855, in and by which after leaving various legacies less in amount than is given by his Will of March 27th, 1873, he

gives and devises his entire residuary real and personal estate to his wife, the said Cornelia M. Stewart.

This will was received by me from Mr. Stewart some months after the execution of the Will of March 27th, 1873, and has since been kept among his private papers.

HENRY HILTON.

Sworn to before me, this 14th day of June, 1876.

HENRY S. ROCKENBAUGH,
Notary Public,
N. Y. City and Co.

BEFORE THE SURROGATE

OF THE CITY AND COUNTY OF NEW YORK.

In the matter of the Last Will and Testament
of
ALEXANDER T. STEWART,
Deceased.

CITY AND COUNTY OF NEW YORK, *ss.:*

WILLIAM LIBBEY, of the City of New York, being duly sworn, deposes and says: I knew the late Alexander T. Stewart for upwards of seventeen years prior to his death, and entered his employment in the year 1859. For many years I occupied the position of general manager of the wholesale business, and on Feb. 1st, 1867, became a copartner with him in the business of his

firm of Alex. T. Stewart & Co., and continued such copartner to the time of his death. During my connection with him our intercourse has been constant, and I know whereof I speak when I assert that, so far as it was possible for one man to conduct, manage, and control so vast a business as that of said firm, the said Alexander T. Stewart did actually and personally control it up to within a few days previous to his death. Of course, it was not possible for him to see personally all of the many thousand employeés of the house, but he did by personal contact with and instructions to the heads of the various departments of the business and the direction of its foreign correspondence see that all was carried on in conformity with his views and personal will.

This practice was constant, and was as actual after March, 1873, as at any time theretofore.

Knowing Mr. Stewart as well and intimately as I did, it seems to me the height of absurdity to say that "undue influence" could, under any circumstances, control him in making a will or doing any other act with reference to his property or affairs.

Further, during all the period of our acquaintance or connection in business, I never knew any one claiming to be a blood relative of his, or knew him to acknowledge any such, or knew any to visit him as such. It was generally understood that he had no blood relatives living, and from its having been thus so frequently stated in the newspapers I really believed at the time of the probate of his will of March 27th, 1873, that such was the fact.

WILLIAM LIBBEY.

Sworn to before me, this 14th day of June, 1876,

HENRY J. ROCKENBAUGH,
Notary Public,
N. Y. City and Co.

SURROGATE'S COURT.

In the Matter
of
proving the instrument propounded as the last Will and Testament of Alexander Turney Stewart, deceased.

The Surrogate: This proceeding is instituted upon an order to show cause why the pretended probate of the instrument propounded as the last Will and Testament of Alexander Turney Stewart, deceased, as a Will of Real and Personal Estate, and the apparent decision thereon, should not be adjudged void, revoked, vacated and set aside.

This order was based upon the Petition of James Bailey, in his own right, and on behalf of the other collateral relatives of said Stewart named in the Petition.

The petition alleges that the Petitioner and others named therein are collateral relatives of the full blood, and heirs-at-law and next of kin of the late Alexander Turney Stewart, who died April 10th, 1876; that the paper bearing date March 27th, 1873, purporting to be the last Will and Testament of said Stewart, appointing Henry Hilton and William Libbey Executors and Cornelia M. Stewart, Executrix thereof, and the Codicils thereto, one dated March 27th, 1873, and the other March 28th of the same year, were in the evening of April 13th, 1876, presented to the Surrogate for probate.

That on the 14th of the same month Letters Testamentary were issued, and said will and codicils were recorded in the Surrogate's Office as duly proved.

That no citation or notice to appear was issued, or directed to be served upon the Petitioner, or any of the heirs-at-law, or next

of kin, as required by law, nor issued to, or served upon the Attorney General of the State; that no opportunity was afforded Petitioner, or any of said Heirs, &c., to require all the witnesses to said Will, &c., to be summoned, or to request other witnesses to be examined, or to be present at, or contest the proof of said Will.

That the probate, and record thereof, were not made public, at the Surrogate's Court Room, or office, but privately, in unusual haste, on the day of the funeral of said Stewart, without notice to Petitioner or said heirs.

That said papers are not the last Will and Testament, and Codicils of said Stewart; that they were obtained, and the execution thereof by said Stewart was procured by circumvention, and undue influence practiced upon him by Henry Hilton, or some other person unknown to the petitioner.

That petitioner and others of said heirs, contest the Probate of said Will.

That Cornelia M. Stewart, and Henry Hilton, are the only Legatees, or Devisees, named in the Will; and the only Legatees or Devisees named in the first Codicil are George B. Butler and others named; and that the only Legatees and Devisees named in the second Codicil are Charles B. Clinch and others named therein.

The petition prays that the probate of said will and codicils, and the decision thereon, may be declared void, revoked, vacated and set aside, and for such other relief, &c., as may seem proper.

On the return day of the order to show cause, the counsel for the executor and executrix, and for Mrs. Stewart and Mr. Hilton, individually, appeared and first moved that the proceedings, so far as they seek to revoke, vacate, or set aside the will in question as a will of personal estate, be dismissed; to which the counsel for the petitioner consented, stating that they made no claim, so far as the personal estate was concerned, and the proceedings to that extent were dismissed.

The widow, Cornelia M. Stewart, filed her answer to the petition, which sets forth substantially her marriage to the testator 16th October, 1823, and that she lived with him as his wife, in the City of New York, until his decease, April 10th, 1876.

That she has no knowledge or information, sufficient to form a belief, whether the petitioner, or the persons named, are collateral relatives of her said husband, and therefore denies the same; that the will and codicils were duly proved April 13th, 1876, and admitted to probate by the Surrogate of said County as a will of real and personal estate, and letters testamentary issued to the persons named therein as executors who qualified, and said will and codicils were duly recorded as duly proved.

That the application for such probate and the proofs thereof were publicly and openly made.

That the testator at the time of his death was extensively engaged in mercantile affairs and the improvement of large amounts of real estate, employing a large number of persons, and to save the business from interruption, and the estate from loss, it was essential that no cessation in the management of its affairs should take place, and as the Surrogate could not attend on the following day, proofs were made on the evening of the funeral for her convenience; that she had been informed by the testator that he had no relatives or next of kin living, and she had no intimation or suspicion that he left him surviving collateral relatives, heirs-at-law or next of kin; that her allegation in her petition for the probate in that respect she believes to be true; that said papers are the last will and testament and codicils of the testator, and the uninfluenced and intelligent acts of her deceased husband; and she denies, on information and belief, that they, or either of them, were or was obtained by undue influence, practised by said Hilton or any other person; that she had never heard her deceased husband speak of the petitioner, or of the other persons named in the said petition as his relatives—that he had never recognized them as such.

The executors and executrix also filed an answer setting forth substantially the same facts as are contained in the answer of Mrs. Stewart.

Henry Hilton also filed an affidavit setting forth that he knew deceased intimately for over twenty years; that he drew the will and codicils under the direction of the testator, who was in the full vigor of his intellect and memory; that no other persons were present when such directions were given; that he did not

influence, or attempt to influence, the testator, and does not know of any other person doing so.

That until after his death he never communicated the contents of said will and codicils to Mrs. Stewart or to any other person.

That for many years past he has been in the employ of said testator, assisting and conducting his affairs, having general knowledge thereof, and of his plans.

That testator's business has for many years required the constant employment of many thousands of persons here and in Europe.

That during deponent's acquaintance with him, the deceased has personally directed, managed, and controlled his business, and his employees to the fullest extent, and did so up to within a few days of his death.

That he had frequently heard him say that he did not know of the existence of any blood relatives, as had been generally stated in the newspapers in this country and in Europe.

That he had been a frequent guest at his table, and has never seen any person whom he recognized as a blood relative.

That he had general charge of his affairs, under the direction of the testator, particularly as to his individual property; he was acquainted with his various plans, &c.

That under a power of attorney from the widow, he has continued the carrying forward of such plans, stating them with some detail.

That expenditures for that purpose have exceeded $350,000, and that other projects mentioned will incur an expense of $300.000 more, and may reach half a million.

That work is continued on the Public Institution for the Benefit of Working Women, the completion of which will involve an additional expenditure of $350,000; that since testator's death there have been paid and extinguished financial engagements to the amount of millions of dollars, besides the specific legacies named in the will, and upwards of $200,000 to employees, pursuant to testator's letter to his wife.

That he had a last will and testament in his possession, duly made and executed by the testator, in his lifetime, dated May 1, 1855, by which he gave and devised his entire residuary real and

personal estate to his wife after certain legacies, less than those contained in his last will, which former will he received from Mr. Stewart some months after the execution of his last will.

William Libbey, the other executor, filed his affidavit stating his acquaintance with the deceased for upwards of seventeen years; he was general manager of the wholesale business, and in July, 1867, became a partner of the firm of A. T. Stewart & Company, and continued as such to his death; that their intercourse was constant, and that so far as it was possible for one man, said Stewart actually and personally controlled his said business till within a few days of his death; this practice was constant after March, 1873, as before.

That from his knowledge, it is absurd to say that undue influence could control him, in or making his will, or in doing any other act in reference to his property.

That he had never heard or known of any one claiming to be a blood relative of his, or that he acknowledged any such; but it was generally understood that he had none, and deponent so believed.

The proceedings in the probate, together with the alleged will and codicils as recorded, were made part of these proceedings.

Prior to the presentation of the answers and affidavits above stated, the counsel for the executors and executrix took preliminary objections, and moved to dismiss the petition, on the ground that as a will of real and personal estate the Court had no authority to set aside the probate, under the Act of 1870, because such probate is not dependent upon an order or decree, and such probate is only *prima facie* evidence, liable to be impeached by any person claiming rights in hostility to the will.

That the petitioner had not made a *prima facie* case calling for answer, as the statute provides; that when the Surrogate shall be satisfied that the proofs are such as are required by the statute, his certificate and the proof endorsed thereon, entitles the paper to be read in evidence, and that the Act of 1870 does not give the Surrogate power to vacate or set aside such certificate; that as the motion is made upon proceedings already had for probate, and the only ground urged against the validity of the will is undue influence by Mr. Hilton, or some person unknown, the burden of

proof of such undue influence is with the petitioner, and that if the petitioner should succeed in opening or vacating the probate, his position, in respect to the real estate, would not thereby be improved or affected; and the decision on the preliminary motion to dismiss was reserved, until the facts were presented, with leave, on the part of the executors and executrix, to renew the motion on the whole case.

After the answers and affidavits were filed, in opposition to the petition, counsel for the petitioner offered to give evidence of the facts set forth in the petition, by production of witnesses; but the motion to dismiss on all the papers was elaborately argued on both sides, and submitted for the purpose of decision.

The counsel for the executors and executrix, in their argument of this motion, have discussed with great earnestness the force and effect of the facts set forth in the respective answers and affidavits presented in their behalf, and urged the improbability of the alleged undue influence upon the testator by Mr. Hilton, and by others unknown; but it is clear to my mind that this motion to dismiss must be considered upon the assumption that the allegations contained in the petition are true, and no benefit can be derived to the parties making the motion, from the facts alleged by them, for the motion is based upon the alleged absence of reasonable ground set forth in the petition for the opening and vacating of the probate, and if the answers are to be regarded, they must be accepted as forming issues of fact for the purpose of presenting proofs to establish those issues, and the petitioners would be entitled to the opportunity to prove the allegations set forth in their petition, with leave, on the part of the proponents of the will, to contradict them, and show the truth of their averments. The petition, after alleging that the petitioner and others are collateral relatives of the full blood and heirs-at-law and the next of kin of the testator, states that the will and codicils were presented to the Surrogate on the 13th day of April, 1876, and application made for their admission to probate and record, and that letters testamentary were issued on the next day, and the said will and codicils recorded in said office, as duly proved, without citation to the petitioner, or the other persons alleged to be heirs-at-law or next of kin, as required by Chapter 460 of the

Laws of 1837, and without citation upon the Attorney General of the State, and that thereby the claimant was deprived of the opportunity to require all the witnesses to said will to be produced and examined, or to require other witnesses to be examined, according to the Act of 1841, Chapter 129.

It appears by the petition of the widow, duly verified by her on the 13th day of April, 1876, and on which the petitioner moves, and which was presented to the Surrogate, praying for Probate of said Will and Codicils, that "the widow, only heirs and next of kin of said deceased, was the petitioner," that said deceased left him surviving neither father, mother, brother, or sister, or descendants of any or either of them, or any descendants of his, or any relative or next of kin of said deceased.

On this proof, and on the faith of the allegations contained in said petition the proceedings of Probate were taken, and upon the assumption of their truth it is entirely clear that there was no need of issuing citations to persons thus clearly proved not to exist.

The third subdivision of Section 5 of Chapter 460 of the Laws of 1837 provides, that if the will relate to both real and personal estate, the names, places of residence of the heirs, widow, and next of kin of the testator, shall be ascertained by the Surrogate, by satisfactory evidence, and Section 7 provides, that the Surrogate shall thereupon issue a citation requiring the proper persons to appear and attend the Probate of the Will, and prescribes certain facts which shall be alleged in the citation: Section 8 provides for the service of such citations. Section 9 provides that, before proceeding to take the proof of any will, the Surrogate shall require satisfactory evidence, by affidavit, of the service of the citation, in the mode prescribed by law.

The *proper persons* referred to, in Section 7, are evidently the heirs-at-law, and next of kin, if any exist.

In this case, the Surrogate *did ascertain by satisfactory evidence*, and by the oath of the person most likely to know, that there were neither heirs-at-law, or next of kin, and the provisions of the Statute referred to were fully complied with, and complete jurisdiction obtained for the purpose of Probate.

It is important, *first*, to determine the power of this Court to open, vacate, or modify the Probate in this case, for while the petitioner's Counsel invoke that power as a matter of right, it is objected by the Counsel for the executors and executrix, that as to a will of real estate, there is no power to vacate or modify the decision or decree admitting the will and codicils in question to Probate.

First. Because the probate is not dependent upon an order or decree of the Surrogate, but upon proofs on which he is required to make his Certificate, whereby it becomes only prima facie evidence. Section 15, 2d Revised Statutes, marginal paging 58.

Second. Because the Statute providing for the filing of allegations against a Will of personal property within a year after its Probate, makes no provision for the review or opening, vacating or revoking a Will of Real Estate, and to sustain this latter point. the case of the Will of John Kellum 50 N. Y., 298, is cited.

By Section 21, Chapter 460, of the Laws of 1837 concerning proof of Wills, &c., it is provided that the Surrogate shall enter in his minutes the *decision* which he may make concerning the sufficiency of the proof or validity of any will which may be offered him for Probate, and I think it quite clear that the admission of the will in question to Probate was a *decision* or determination of this Court upon the proofs submitted.

In *Campbell* vs. *Logan*, 2 *Brad.*, 90, after a very elaborate and learned discussion of the question, Surrogate Bradford held that the power to revoke, open or alter the Decrees of the Surrogate's Court was essential to the administration of Justice, and a necessary incident to the exclusive jurisdiction of the Surrogate over all matters of the Probate of Wills, and this power was claimed independent of the provisions of the Statute prescribing the conclusive character of the Probate of Wills of personal property.

In *Pew* vs. *Hastings*, 1 Barb. Chy., 452, the Chancellor held that the Surrogate had the power to open a decree taken by default and in consequence of mistake or accident, and that the provisions of the Revised Statutes, "that no Surrogate shall, under pretext of incidental power or constructive authority, exercise any jurisdiction whatever not expressly given by same Statute of this State," 2d Revised Statutes 221, Section 1, having

been repealed by the Act of 1837, page 536, Sec. 71, it had restored the incidental powers inherent in that court; and in *Proctor* vs. *Wanmaker*, 1 Barb. Chy., 302, it is held that the Surrogate has power to revoke Letters of Administration which have been irregularly and improperly obtained upon false suggestion of matter of fact without due notice to the party rightfully entitled to administration, independently of the Statute of 1837.

In *Dobkee* vs. *McLaran*, 41 Barb., 491, it was held that the Legislature, by repealing the provisions of the Revised Statutes prohibiting the exercise of any jurisdiction not expressly given by the Statute above referred to, intended that the Surrogate should have incidental power to open or correct a decree made through fraud or mistake as to a material fact, and Mr. Justice Sutherland said, at page 494: "I think such power may be necessary to prevent the greatest injustice;" and Mr. Justice Leonard, at the same page, said: "the power of revoking Letters of Administration, irregularly and improperly obtained, or upon false suggestions, has been proved on sufficient authority." By parity of reason if a Probate were refused by mistake or misapprehension, the Decree should be opened and the application reheard,—it is within the incidental power referred to in the cases cited.

In *Siberly* vs. *Banckus*, 24 N. Y., 46, it was held that the effect of the repeal by the Act of 1837, Chap. 460, Sec. 71, above cited, of the restrictive clause in respect to the jurisdiction of Surrogates, Courts (2 Revised Statutes 221, sec. 1), is to restore to such Courts the incidental powers possessed by them previous to the Revised Statutes, citing the authorities which are above referred to.

In *Skidman* vs. *Davies*, 10 Paige, 316, it was held that the remedy of a party aggrieved by an irregular *ex parte* order made by the Surrogate, is to apply to the Surrogate to vacate or set aside the order, and not by an appeal to the Chancellor.

The authority above cited in the Kellum Will, 50 Barbour, does not sustain the principle urged by counsel for the executors and executrix. There is no intimation in the decisions that the Surrogate has not the power to open a decree of probate of a will of real estate. The learned Judge, in that case, holds that the effect of a probate of a will of personal property and of real estate differs. As to *real estate*, it is not conclusive either as to

the validity or due execution of the will; but as to the probate of a will of personal property it is conclusive, until the same be reversed on appeal, or revoked by the Surrogate in the manner provided by the statute, or the will be declared void by a competent tribunal. The Judge also states the reason why, in the one case, the Statute provides for the making of allegations within one year, while there is no provision of that kind respecting a will of real estate; but there is no intimation in the opinion of that Court that the Surrogate has not the power, as an incident to his office, to open, vacate, or modify a will of either kind.

The authorities above considered leave no reasonable doubt in my mind that this Court has the power, in a proper case, to set aside, open, vacate, or modify the order or decree, admitting a will of real estate to probate.

But if any such doubt existed prior to the Act of 1870, Chap. 359, it seems to be fully removed by the language of the 1st section of that Act, made applicable to the Surrogate's Court of the City of New York, the latter clause of which reads as follows: "And the said Surrogate shall have the same power to set aside, open, vacate, or modify orders or decrees of the said court as is exercised by courts of record of general jurisdiction." The terms and scope of this power are certainly very ample. That courts of general jurisdiction have power to set aside, open, vacate, or modify the orders or decrees is pre-supposed by the section in question, and it is a power which is generally exercised for the purpose of correcting mistakes, and relieving against fraud, &c. And I understand the power conferred by the section last named to be equal to that exercised by a Court of Equity, on a bill filed for the purpose of obtaining relief against a judgment, or decree, for fraud or mistake.

In the matter of Bricks' estate, after a most exhaustive discussion of the question, Chief Justice Daly, 15 Howard, 12, at page 36, concludes as follows: "That the courts may undo what has been done through fraud, or upon the supposition that they had jurisdiction, or upon the assumption that the party was dead who is living, or that there was no will—or they may open decrees taken by default, or correct mistakes, the result of oversight or accident." "These are all powers existing of necessity, and in-

dispensable to the administration of justice, under which may be embraced any other exercise of jurisdiction of a like nature or character." And this decision, be it remembered, was made prior to the Act of 1870.

Having reached the conclusion that I have the power to entertain the petition in this matter, it becomes necessary to determine whether the petitioner may invoke that power as a legal *right*, or whether he addresses himself to the discretion of the Court, which discretion should be exercised with a just regard to the interests of the respective parties.

From an examination of the various authorities on the subject, and of the Act of 1870, I am persuaded that this petition should be regarded as an appeal to the discretion of this Court, and not as a matter of absolute right.

By the term "discretion" is not meant such discretion as forbids a review in cases where that discretion shall be improperly or unlawfully exercised, but such a discretion as would justify the granting or denial of the application according to the circumstances or equity of the case.

If it should appear as a part of the record that the decree sought to be vacated was absolutely void, it seems to me that the opening or setting aside of such decree would be a matter of discretion, the refusal of which would be justifiable, and would not be reversed on appeal; while in a clear case of equity uncontradicted, though addressed to the discretion of the Court, if denied, it would be reversed on appeal.

It is objected by the petitioners' counsel that the Surrogate in this matter obtained no jurisdiction for the purpose of admitting the will in question to probate, because of the alleged existence of heirs-at-law not cited, and that, therefore, the decree is absolutely void.

Without, at present, passing upon the question, whether a decree absolutely void, is for any purpose an obstruction to the enforcement of the alleged rights of the petitioner, it is sufficient to say that on the proof furnished to the Surrogate in this case, he obtained jurisdiction over the probate of the will, and the only persons entitled upon that proof to be heard.

It is quite clear to my mind that where a petition showed a case conferring jurisdiction, the Surrogate had authority to act in the premises, and it is not true to say that the subsequent discovery of persons who were entitled to an interest in the estate as heirs, would render the decree void—such a state of facts would only render the decree inoperative as to the person so discovered to be entitled.

Suppose, as an illustration, that a testator should die leaving, as is supposed, but three children, and upon that assumption the will should be probated; and many years thereafter it should turn out that a fourth child, supposed to be dead, was living, can it be seriously pretended that such a discovery would render a probate void? if so, most disastrous consequences might result to the estate and to those who had become possessed of it.

The most that could be said in such a case would be, that the probate might be avoided, so far as the interests of the heir not cited is concerned, and that the probate for that purpose would have been set aside, if at all, on appeal to the discretion of the Surrogate.

Indeed, is it not the fact that the counsel for the petitioner acquiesces in the continuance of the probate so far as the will relates to personal property, in his application to this Court to open the same as a will of real estate, and that they recognize the fact that the Surrogate had jurisdiction to probate the will in question, for if they regarded the alleged probate as void for want of jurisdiction, it is quite clear they need no intervention of this Court to relieve them of the effect of a void decree.

If, as I must assume for the purpose of this proceeding, the petitioner is an heir, it cannot be denied that by the settled practice of this Court, he was entitled to an opportunity to resist the probate of the will in question; and that if his relation to the testator had been known, and recognized before the probate of the will, he would have been included in the citations, and afforded the opportunity of being present at the probate; and if he had been next of kin, so as to have entitled him but for the will, to a share of the personal property, there would be no doubt of his right to an opening of the probate so far as the instrument propounded was a will of personal property is concerned.

The cases of

The Public Administrator vs. *Peters*, 1 Bradford, 100.
Skidmore vs. *Davies*, 10 Paige, 316.
Vreedenburg vs. *Calf*, 9 Paige, 127.
Bloom vs. *Burdick*, 1 Hill, 130.
Corwin vs. *Merritt*, 3 Barb., 341.
Shelden vs. *Wright*, 5 N. Y., 497.
Sibley vs. *Waffle*, 16 N. Y., 180.

cited by the counsel for the petitioner, seem to sustain his right to such an opening of the decree; but it is claimed on the part of the counsel for the executors and executrix, that as this application is addressed to the discretion of the Court, its exercise may well be denied, because of the difference in the effect of the probate of a will relating to personal property and one relating to real estate; and this brings me to the consideration of the final and more important question involved in this proceeding.

In *Harrison* v. *Ridley*, it was held that a Bill of Revivor did not lie by an assignee.

The assignee in that case filed a Bill of Revivor as assignee of one Beaumont, who had been discharged as an insolvent debtor. Beaumont had exhibited his bill to be relieved against securities entered into by him to the defendant, and it was held that he had no such interest as to entitle him to sustain the bill.

2d Corwyn's Reports, 589.

In *Reed* vs *Vanderhuyden*, 5 Cowen, 719, Woodworth, Justice, at page 733 uses this language: "It is an elementary principle recognized in all the books, that a person having no interest in the subject of dispute, cannot be a party litigant; and I am not aware of a single exception in any one of the courts according to the course of common, civil or canon law. To show the nature and universality of the rule, and illustrate and enforce it, we need only go to the doctrines of a Court of Equity, where the greatest possible latitude as to parties is indulged. There, not only must the original parties have an interest, but that interest is followed in all its changes - - - - even in cases of change of bankruptcy or insolvency a bill must be filed in the nature of a Bill of Revivor," citing *Harrison* v. *Ridley*, above.

Under the head of recission, cancellation and delivering up of an agreement, Ex-Judge Willard in his Equity Jurisprudence, at page 304 says: "These classes are all referable to one common head of equity jurisdiction—the prevention of an injury that might otherwise prove irreparable; but it seems to be settled that a Court of Equity will not order an instrument to be delivered up and cancelled, which, upon its face is plainly illegal and void. Nor a deed of lands, when it is certain from its nature and contents, it can throw no cloud upon the title of the plaintiff, nor a negotiable instrument that has been merged in a judgment; so of all kindred cases in which the plaintiff is exposed to no hazard from future litigation, and where it is certain that in no action founded on the instrument can recovery be had against him." And at page 307 the same learned author says: "It is quite clear that the cases on this subject cannot all be reconciled, except by the general principle that the exercise of this power is to be regulated by sound discretion, as the circumstances of the individual case may dictate, and that the resort to equity to be sustained must be expedient either because the instrument is liable to abuse from its negotiable nature, or because the defence arising on its face may be difficult or uncertain at law, or from some other special circumstances peculiar to the case, and rendering a resort to equity highly proper, and clear of all suspicion of any design to promote expense and litigation; if, however, the defect appears on the bond itself, the interference of the Court will still depend on a question of expediency and not on a question of jurisdiction."

In Tripp *vs.* Cook, 26 Wendell, 143, Senator Verplanck, after discussing the judicial meaning of discretion, at page 152 uses this significant language: "Judicial discretion is a phrase of "great latitude, but it never means the arbitrary will of the Judge. "It is always (as Chief-Justice Marshall defined it) legal discre- "tion, to be exercised in discerning the course prescribed by "law; when that is discovered, it is the duty of Courts to "follow it; it is to be exercised not to give effect to the will of "the Judge, but to that of the law."

Such discretion may be exercised in relation to the convenience of Courts, suitors, and the expedition of business, or upon the evidence as to some interlocutory matters, on which one tribunal

could not well prescribe to or even advise another. A definition of judicial discretion seems to be necessary in this case, in order to determine the scope of the inquiry as to the judicious exercise of such discretion.

The right exercise of that discretion in this case, it seems to me, involves the rights and remedies, sought by the petitioner if granted, and the effect of such relief upon the adverse party; and it is a judicial balancing of those rights which constitute a right exercise of such discretion.

I now come to the consideration of the advantages which would enure to the petitioner, and the disadvantages and dangers which would be imposed upon the estate in question by an opening of the Probate.

By Chapter 238 of the Laws of 1853, it is provided that the validity of any actual, or alleged devise by a will of real estate, may be determined by the Supreme Court, the same as the validity of any deed, &c., and that any heir or heirs, claiming lands, tenements, or hereditaments, by descent from an ancestor who died holding, and being in possession of the same, may prosecute for the partition thereof, notwithstanding any apparent devise by such ancestor, and any possession held under the same devise, provided that such heir or heirs shall allege and establish in the same suit, action or proceeding, that such apparent devise is void.

In the matter of the Kellum Will, 50 N. Y., 293, it is held that the probate of a will of real estate is not conclusive, either as to the validity, or due execution of the will.

By Section 748 of the Laws of 1869, the record of a will given in evidence is made effectual in all cases as an original will, if produced, and proved, and may in like manner be repelled by contradictory proof.

In *Woodhull* v. *Ramsey*, 3 Johnson's cases, 234, the Probate of a will is held not conclusive upon the heir, and that the record is only *prima facie* evidence.

Under these statutes and authorities cited there seems to be no doubt that, *at most*, the Probate of the Will in question is only *prima facie* evidence, and that in any proceeding by the alleged heirs-at-law of the Testator, to enforce their alleged rights in

respect of the real estate, the force of that probate may be attacked.

It is entirely clear that this Court has no power to grant to the Petitioners any affirmative relief by which their rights to the real estate in question may be determined.

If the Probate should be opened would the Petitioner be in any better position to enforce his alleged claim to the Real Estate left by the testator than he would if the probate remained? He must take proceedings in another court by ejectment or partition, and must there show that he is an heir entitled; and when he has shown that, the production of the Probate would not be even *prima facie* evidence against his right, unless the party interposing the Probate as an obstacle to the Petitioner's claim could show affirmatively that the Petitioner was duly cited on the Probate, and if he *were* so cited, under well settled authorities in such cases, he could attack the validity of the will as though it were never proved.

Again, suppose the will had not been proved, and the heir should bring ejectment, he would have to produce some evidence of his title, and the devisee in the will would be compelled to produce the will, with sufficient evidence of its due execution, so that in any event the opening of the Decree would not relieve the Petitioner from any embarrassment in respect to the proof of his title; but it would add somewhat to the burthen of the devisee in proving the execution of the Will.

It was urged by Counsel for the Petitioner that under the Statute of 1870, already cited, there was no authority for the claimant to raise the question as to the absence of jurisdiction of the Surrogate to Probate the Will, except by an application to the Court to open or vacate the Probate, because he was not a party to the proceedings and would therefore have no standing to appeal.

On a careful consideration of this objection I am inclined to the opinion that any objection to jurisdiction, or otherwise in respect to the probate of the Will in question, or its validity or due execution may be raised in any proceeding instituted for the purpose of enforcing a claim to the real estate, and that the Statute of 1870 would not affect a person who was not made a party to the probate.

Mr. Justice Rapallo, in the Kellum Will case above cited, uses this language: "As to the real estate the Probate is not conclusive, either as to the validity or due execution of the Will—this question may be litigated whenever the rights to real estate claimed under the Will are controverted."

It is to my mind entirely clear that in every proceeding, and in all stages of an action, even on appeal, the question of jurisdiction may be raised, and must be met.

Ex parte Livingstone, 34 N. Y., 555.
Brookman v. *Hammill*, 43 N. Y., 354.
Jones v. *The Norwich and New York Transportation Company*, 50 Barbour, 93.

On the argument it was urged by counsel for the executors and executrix that the moving papers did not show probable ground for denial of the probate of the will in question, if opened, because of the improbability of Mr. Hilton influencing Mr. Stewart to devise his real estate to his wife, who would seem to have the best right to it, while Mr. Hilton, as he was not interested in the real estate, appears to have had no motive for the exercise of such influence. But in this case it would be unprecedented, as well as unjust, for this Court, in passing on a preliminary motion, to open a decree for the purpose of enabling the petitioner to prove not by affidavits, but by competent proof, to determine the ultimate merits of the case; nor is it proper that I should express any opinion on this preliminary proceeding upon the subject of such an alleged improbability. Beside, as the will was made at the same time, in respect to both kinds of property, and by the same testator, if undue influence could be proved, it might be quite difficult to determine that the influence did not affect the will in all its points.

Some observations and experience have led me to deplore the growing irreverent disregard by heirs-at-law and next of kin of the last wills and testaments of those who, by honest industry and prudence, may have acquired a moderate competence or an abundance, and who, pursuant to law, have presumed to bestow their pittance or their fortune, according to their free will, resulting in the dissipation of fortunes as well as family concord, by dishonorable and unseemly legal contests, until the performance

of a solemn duty has become an occasion of anxiety, lest its attempted performance should prove seriously detrimental, rather than beneficial, to those who are just objects of testamentary bounty.

These evils are more felt and deprecated by those of moderate means than by the wealthy, and in a very great majority of cases, where wills are executed, the amounts devised or bequeathed are small, and yet upon such meagre bounties depend the sustenance and comfort of an affectionate and loved helpmate, and the education of beloved and dutiful offspring, the solace of venerated parents, or perhaps aid and encouragement of some worthy Christian charity or public benefaction.

The interference with the deliberate and intelligent disposition of estates should not be encouraged, and particularly should the practice of encouraging experiments to overthrow last wills and testaments, by allowing contestants to receive from the estates compensation for their unwarranted assault upon them, be discouraged, and contestants, in case of failure, should be held to a rigid rule of good faith before they receive an allowance from the estate.

The questions involved in this proceeding are important, delicate, and not easy of solution, because the authorities are very few treating upon them; but if I err in my conclusions, there is a ready and convenient mode of review by which such error can be corrected.

While the law should be administered with care alike in cases involving small and large amounts, and with absolute impartiality, yet in a case of the unprecedented magnitude of this proceeding, likely to affect such vast interests and challenge public attention, it has seemed to me that extraordinary care and diligence should be observed in passing upon the questions involved.

If I am right in my estimate of the effect upon the alleged rights of the petitioner, and those whom he assumes to represent, in the opening of the probate, it seems to me that it would be an unwise and unjust exercise of the judicial discretion of this Court to open the probate where no practical and substantial benefit can enure to them, while it would be likely to throw dis-

credit upon the tenure of the real estate devised to Mrs. Stewart, and paralyze the great enterprises now in progress.

For the reasons above stated the petition should be dismissed.

H. L. Clinton, Wm. A. Beach, H. E. Davies, and H. H. Anderson, for executors, Judge Hilton and Mrs. Stewart.

W. O. Bartlett, E. Root, and W. D. Booth, for petitioners.

At a Surrogate's Court, held in and for the County of New York, at the Surrogate's Office, in the City of New York, on the 21st day of July, in the year one thousand eight hundred and seventy-six.

Present—The Honorable DELANO C. CALVIN,
Surrogate.

In the Matter of Proving the Instrument propounded as the Last Will and Testament

of

ALEXANDER TURNEY STEWART,
Deceased.

This matter came on to be heard upon the return of the order to show cause made herein on the 31st day of May, 1876, directing the executors, devisees, and legatees named in the instrument propounded as the last will and testament of Alexander Turney Stewart, deceased, to show cause, before the Surrogate of this County, on the 15th day of June, 1876, why the probate of said instrument as a will of real and personal estate, and the decision thereon, should not be adjudged void, revoked, vacated, and set aside, and why the petitioner therein named should not have such other and further relief as may be just and according to law; which said order to show cause was made upon the petition of James Bailey for himself and other alleged heirs, verified by said James Bailey, on the 31st day of May, 1876.

On the return day named in said order the petitioner appeared by Mr. William O. Bartlett, Mr. Elihu Root, and Mr. William D. Booth, as counsel, and the widow of said testator and the ex-

ecutors named in the said will, viz., Cornelia M. Stewart, Henry Hilton, and William Libbey, appeared by Mr. Henry L. Clinton, Mr. Henry H. Anderson, Mr. Henry E. Davies, and Mr. William A. Beach, as their counsel.

Preliminary to the hearing of said petition, Mr. Henry E. Davies, as counsel for said respondents, and especially as counsel for Mrs. Cornelia M. Stewart, moved to dismiss the proceeding, so far as it sought to set aside or annul the said will, or the probate thereof, as a will of personal estate.

The counsel for petitioner stating that the said petitioner made no claim to the personal estate of the said Alexander T. Stewart, deceased, and did not move for any order or decree affecting the probate thereof as a will of personalty, the motion so made, by Mr. Davies, was granted, and thereupon it was and is ordered and adjudged that this proceeding, so far as, in or by said petition, it seeks to set aside or vacate the said will, or the probate thereof, as a will of personal estate, be and the same is in that respect dismissed.

Thereupon, Mr. Anderson, Mr. Clinton, Mr. Davies, and Mr. Beach, as counsel for said widow, and said executors and executrix, made a preliminary motion to dismiss the petition, and all proceedings therein, so far as it sought to vacate, annul, or set aside said will, or the probate thereof, as a will of real estate. Decision thereon was reserved until the answer of the respondents had been read, together with the affidavits of said Hilton and Libbey.

The counsel for said widow, and said executors and executrix, then read the answer of said Cornelia M. Stewart, as residuary devisee named in said will, the answers of the executrix and executors therein named, the affidavits of Henry Hilton and William Libbey, and also the petition and preliminary proofs upon which said will was so admitted to probate on April 13th 1876.

The counsel for the petitioner then offered to place upon the stand witnesses, and to give oral proofs of the facts alleged in the said petition of James Bailey.

Thereupon, the preliminary motion to dismiss the proceedings

was renewed by the counsel for the executors and executrix, and opposed by the counsel for the said petitioner;

And upon reading the said petition of the said James Bailey, heretofore filed, and the said order to show cause, and the record of the said will, and the petition and preliminary proofs upon which said will was so admitted to probate on April 13th, 1876, and the said answers of the said Cornelia M. Stewart and of said executors and executrix, and said affidavits of Henry Hilton and William Libbey, and filing the same:

Now, on motion of Davies, Work, McNamee & Hilton, Esqrs., proctors for said respondents, and after due deliberation being had,

The Court does hereby order that the said petition and all proceedings thereon be and the same are hereby dismissed.

(Copy.)

[L. S.] D. C. CALVIN,
Surrogate.

Original filed July 21st, 1876. A true copy.

MORGAN N. DAYTON, JR.,
Clerk of the Surrogate's Court.

The following Extracts from Newspapers seem to be interesting in connection with the subject of this publication:

NEWSPAPER EXTRACTS.

(The following article was, at the time of its publication, extensively copied in the Newspapers of the United States, also in Great Britain and Europe.)

[*Correspondence Commercial Advertiser.—Saratoga Springs, July 9th,* 1874.]

SARATOGA.

THE LAST OF HIS RACE—A PEN-AND-INK PORTRAIT OF A. T. STEWART—A MILLIONAIRE'S WAYS OF LIFE—ONE HUNDRED MILLIONS IN THIRTY-EIGHT YEARS.

He dresses in black. His clothes are well made and fit him perfectly. His only jewelry consists of a plain gold watch, worth about $500, which he seldom disturbs from its place in his vest-pocket. He loathes all unnecessary personal adornments. Three small, plain linen-covered buttons appear on his shirt bosom. No watch chain is visible. He wears a black beaver hat, which weighs a half pound less than the heavy gray stovepipes fashion ordains shall be worn this summer. His hair, of a reddish-grey, is neatly dressed at all times. His beard, which is more tinted with grey than his hair, is short, and trimmed regularly, so as to be kept at the same length all the year round. Where a cumbersome mustache ought to be, a hair is never permitted to attain more than a day's growth. He is of a slender, though compact physique. His complexion is ruddy, and bespeaks the best of health. He always looks as if he had just left the toilet table. This man is seventy-four years of age. In conversation, his keen blue eyes are never for an instant taken off yours. His face bears the impress of prudence, discretion, self-confidence, a calmness impossible to ruffle, and, above all, of honesty and truthfulness. He never speaks loud enough to be heard ten steps from where he stands. Eaves-droppers cannot catch even the sound

of his voice. He shakes hands with you cordially, nay even warmly. He is courtesy and politeness itself. His conversation is always couched in the refined language of the educated gentleman. He uses no slang. He is witty, and at times vivacious. He is no teetotaler; he drinks only at meal-hours; his favorite wines are Johannisberg, from Prince Metternich's private vineyard, the like of which is not easily found in this country; he is fond of Sherry and Madeira; his wine-cellar contains probably the choicest collection of wines in America. This man's wealth is estimated at one hundred millions, made by him since 1834, in New York city. He has no children; he has not a single known relative on the face of the earth. He is the last of his race. It is A. T. Stewart. I am tempted to draw another picture—the opposite of the above. I am tempted to draw a sketch of those "shoddyites" who, like the butterfly, enjoy their gaudy existence but for "a fleeting Summer's day." But I had better not; I might possibly step on the toes of more people than I have any idea of. Mr. A. T. Stewart, although he is the proprietor of the Grand Union Hotel, is too sensible to indulge in the petty jealousies so prevalent among some of the Saratoga hotel landlords. In company with Judge Hilton he may be seen every day making the rounds of the hotels in a quiet, unobtrusive way, visiting their respective proprietors, as well as such friends as might be stopping with them. Mr. Stewart thinks that Saratoga's success has but just begun; that with each succeeding year it will keep on making such rapid strides that double the present number of hotels will be required to accommodate its patrons.

Mr. Stewart and Judge Hilton sail for Europe on the 15th, on a short tour—business and pleasure combined. *Bon voyage* to them.

[*Cincinnati Gazette—September* 16, 1875.]

A Sketch of the Greatest Business Man of America—How He Rules His Army of Clerks and Subordinates—The Grand System of His Business.

New York, *Sept.* 15, 1875.

The fact is becoming apparent that A. T. Stewart is absorbing real estate faster than any other man in this city. I do not say

that his purchases are all made here, for he has become the owner of a town on Long Island and is one of the great proprietors in Saratoga Springs. He is, however, purchasing either in this city or in first-class country resorts with a rapidity unequalled since the days of old John Jacob Astor. The only difference is that Stewart began later in life. Had an equal start been given him he would have equalled that wonderful German. As it is, however, Stewart now owns more property in Broadway than the Astors, notwithstanding the early chance which that family enjoyed. Stewart is now only seven years younger than Astor was at the time of his death, but he is vastly more competent for business than the latter when at the same age. The last fifteen years of Astor's life were chiefly spent at his country seat at Hell Gate. He had placed the care of his immense property in the hands of his son William, who was then about forty-five, and was the general agent of the estate. The old man was much worried, however, concerning his wealth, as most rich men are, and toward the last he became slightly crazed by the fear of poverty.

AS A BUSINESS MAN.

In this respect Stewart has no equal for his years. This leads me to the remark that he is somewhat desirous to keep his age at the lowest possible figure. No one of his employés will dare to make a statement on this point. He is from seventy-three to seventy seven; perhaps seventy-five would be the most accurate figure, but he really appears more capable than most men of sixty. If it is to be observed that all others of our rich men have had the stimulus of paternal care to drive them to accumulation, they have also had children to assist them in the burdens of old age. Stewart is the only one of this number who never had any children, and he does not seem to feel the lack even in this latter day of life. The fact is, Stewart is not like other men. He seems controlled by a destiny into which is merged all the powers and affections which, in other instances, embrace the family circle. He is not so much flesh and blood as he is the embodiment of the spirit of trade. It is not so much that he loves wealth that he acquires it. The reason of his success is that wealth comes to him in obedience to certain laws. It is not specially his desire

to crush out rivals, but they fail because they place themselves in the way of his immense machinery. Stewart is not to blame for the misfortunes of others. He, too, would go to ruin if there were a greater than he.

THE MAN OF SOLITUDE.

It is said that he has a small social circle, but if so, it is very limited in its extent. As a business man Stewart has always been a man of solitude. He is naturally self-reliant, and has not called others into communion with him, simply because his own resources were sufficient. He has been solitary, because nature required it. To such a man the presence of others, except when used as tools, was only annoying. This feature, however, was not accompanied by rudeness. Stewart is constitutionally as polite as he is reserved. He has specially an easy way of meeting ladies, and, when a retailer, he loved to wait on them. This arose from his peculiar faculty of anticipating their tastes. His sense of propriety in the outfit of the female sex was the first point of distinction which marked the little shop that he opened forty years ago with a capital of $1,000. It was his constitutional independence which kept him from taking any partner during the first twenty years of his business career, and those who have since been admitted are subordinate to an unusual degree. Stewart's privacy is almost as much observed by them as when they were clerks. They enter not into his plans, but merely carry out the detail assigned them. The only reason, indeed, why there is any partner is to facilitate the settlement of business in case of his illness and death.

HOW IT IS MANAGED.

Stewart employs in both establishments nearly one thousand persons, of whom none are allowed to speak to him except the heads of departments. This rule is a necessity in order to defend him from trifling applications. About 10 o'clock in the forenoon a carriage stops in front of the retail warehouse, and as the coachman opens the door out steps a quiet-looking man, standing about five feet nine inches, and weighing, as one might guess, about one hundred and fifty pounds. There is a slight stoop in the shoulders, which is partly the effect of time and partly caused by sitting at a desk, for when I first saw him he was perfectly

erect. His countenance indicates calmness and order, and he might be taken for a physician of high rank—such is the expression of ripe judgment that he wears, but not of *care*. The latter is the portion of common men. Stewart never shows *worriment*, which is a different thing from *thought*. Having entered the warehouse, which covers two and a half acres, and is a palace of fashion, he takes a quiet survey of the whole. No one says, "Good morning," or goes into compliments, and his arrival attracts no marked notice. He immediately goes the rounds of the departments, and converses in a low tone with the manager of each. He seems to comprehend the condition of things at a glance. Prices are reduced or advanced, as the case may be, and orders may be given to slaughter certain styles. Not a point of detail passes unnoticed.

THE OTHER PLACE.

An hour is spent in the palace of fashion, and the orders of the day having been given, the proprietor drops the establishment from his mind and is driven a mile down town to the wholesale house, which he enters at a side door, and immediately goes up stairs to his office. This is about fifteen feet square, with glass partition and seats for hardly more than two persons. Into this sanctuary no one may enter uninvited. Just outside sits a page to answer the call-bell, and near at hand is the desk of his private secretary. He now calls for statements of important features of traffic. The amount of stock of certain styles; the amount in the Custom-house; the amount of sales for the week or month; the reports from different mills, each taken in order; the amount of credits issued, specifying each State; the stock in the Boston or Philadelphia branches; the amount of unfashionable or unsalable goods. As these statements are called for, each is rapidly glanced over, and orders are issued to meet any exigency. Every man that may be wanted is sent for, and a few words with each is generally sufficient. Important letters and telegrams are submitted, and are rapidly noticed, and in this manner an hour may be passed. Then comes a walk down to the main floor, and a brief utterance to the chief of his assistants. No one seems conscious that the master is nigh, for to do this were a violation of the *regimé* of the place.

THE STAFF.

Stewart goes through a vast amount of labor in a short time, and his carriage generally calls for him before four o'clock. His clerks, however, work till the business of the day be finished. In his array of managers may be found some of the ablest dry goods merchants this city ever contained. Some have failed and found refuge in his vast establishment. They need employment and he wants their service; but the advantage is chiefly in his favor, for they have been educating themselves at an immense expense, while he gets their services for salaries so small that they hardly afford more than a close living. A number of salesmen sell on commission, and in good times make better rates than a mere salary; but this method is very unfavorable during the present depression.

PRICES.

Stewart has the most remarkably systematic mind of which we have any record, but his system is an expensive one. He has succeeded in making the public believe that he sells goods at a cheap rate, which is by no means the case. His grand system requires large profits, as good buyers both at wholesale and retail will soon discover.

There is, however, an attraction in the grand establishment which consists chiefly in the notion of "going with the crowd," and this does much to draw trade. The shoppers of this city say that Stewart is not "cheap," but they can get all they want under one roof. Here we see how his system brings large profits. The place is a grand centre for everything that a lady can desire in the way of dress, and customers need not go elsewhere for trifles. You can buy a $4,000 shawl or a paper of pins.

SYSTEM.

Stewart's system is so peculiar that it would require a volume to include its details. Its operation in respect to the clerks gives them a special door for coming and going, and no one is allowed to carry off a package. This door is always guarded, and none but clerks can pass. Each clerk has access to the vast cloak-room in the basement, where a small closet is furnished him. The variety of checks in the sale of goods affords the widest imaginable track to everything that is sold, and the only fraud

that is practicable at all is direct shoplifting, which is occasionally detected. At the lower store there is but one entrance for customers, and this is always guarded. No parcel is allowed to pass out unless it bears the proper check. The rules of the house are extremely rigid. I have seen payment of a bill tendered in the street to a clerk, who refused taking it. "This," said he, "is the collector's business. I should be discharged if I took it." Such a general system was first introduced by Stewart, but has been generally copied in all large cities.

ACQUISITION OF PROPERTY.

Stewart has shown his peculiar turn of mind in the use of his wealth. He has never been addicted to the purchase of stocks, and has none of that ambition, so common among merchants, to be a bank director or president. He has owned little else than dry goods and real estate, or, in other words, he has purchased nothing that he cannot control in an individual manner. He has not gone into real estate speculatively, but merely invested his surplus cash. Hence his purchases indicate the growth of his profits. It is thirty years since he bought the old hotel on the site of which his wholesale warehouse now stands. The only point of interest in this hotel is found in the fact that Louis Napoleon stopped there during his sojourn in this city in 1839. Ten years afterward he purchased the Metropolitan Hotel for $550,000. Then he acquired in the same manner the Depau row in Bleecker Street, to which has been added the Church of the Messiah in Broadway, the Baptist Church in Amity Street. In his hands the former has become a theatre, while the latter is a stable. Other purchases could be mentioned, but in addition to city property he has a large tract at Hempstead, where he is building a village for working people; also the Saratoga Hotel, which is worth a million and a half. His surplus profits are thus placed in a shape subject to his control, and should his life be prolonged, it may be expected that he will continue to accumulate property in the best part of the metropolis. It is annoying to him that he cannot own the land on which his up-town palace is built, but this belongs to the Sailors' Snug-harbor, and can only be leased. For this plat he pays $45,000 ground rent, which, at

5 per cent., gives a valuation of nearly a million. He would readily give double that sum for it.

A VIEW OF DESTINY.

I refer again to the fact that Stewart feels himself under the impulse of a grand destiny. This only can explain the ardor with which he is devoting himself to business. At this time of depression he is meeting the exigencies of the occasion with incessant effort. Never were his mighty energies more severely taxed than at the present; but he will override all difficulties. Included in this destiny is the palace in which he resides, and which is the finest private residence in America. Its cost is over a million, and in no other instance in the history of the world did a childless pair dwell in such a royal establishment.

THE FUTURE.

It is said that Madame Pompadour replied to suggestions with regard to the future, "After us the deluge." A few years must tell the story of Stewart's destiny. Perhaps the grand empire of trade in which he has so long gloried may at once crumble to pieces, and afford a fresh lesson of earthly vanity. It is an interesting question: "What is to become of this immense wealth?" His blood flows in no other veins than his own. In Ireland there is a remote kindred to whom the law will convey the property unless he wills it in a contrary manner. These trans-Atlantic heirs are no doubt anxious concerning their interests, and if disappointed they may follow his death with a sharp legal fight.

It is supposed that Stewart has made a voluminous will, establishing some beneficent institution; but no one knows anything definite, unless it be his most intimate friend, Judge Hilton. A few years ago I asked the Judge what might be the future disposition of the estate, and the reply was given in Pompadour's above-quoted words. I think, however, the Judge only avoided the question.

There are two events which will yet create sensation here—one will be the death of A. T. Stewart, the next the reading of his will.

KNICKERBOCKER.

[*Christian World—April* 20, 1876.]

AN HONEST MILLIONAIRE.

Alexander Turacy Stewart, whose death was announced last week from New York, was one of the richest men in the world, and, perhaps, the very richest that ever made his money in a business originated by himself. He is said to have realized sixteen millions sterling, and to have returned to the Income-tax Commissioners, as the profits of a single year, one million. It is not easy to form a distinct idea of what such a sum of money as sixteen millions practically means. It is sixteen times as great as the legally sanctioned revenue of England before the meeting of the Long Parliament, in 1640; it is more than four times as large as the land revenue of Bengal, levied on a population of 65,000,000, and, in effect, the rental of the country; it would have enabled a military economist, like Frederick the Great, to have kept afoot, for at least half a year, an army of a million of men; and had it been the result of hoarding, without interest or investment, it would have occupied, in accumulation, at the rate of £100,000 *per annum*, one hundred and sixty years.

The mere statement, however, that a fortune so stupendous was acquired by Mr. Stewart would have deserved little attention if it had not been accompanied by the declaration, unanimously made by writers on the subject, that he acquired it by honest means—nay, that his honesty was one of the grand elements of his success. Born near Belfast in 1803, and receiving a good education, which terminated in his becoming a graduate of Trinity College, Dublin, he emigrated to New York at the early age of twenty; and in the intervening period, which we may roughly call fifty years, he realized the sum we have mentioned. He seems to have given no proofs of money-making talent while on this side of the Atlantic, nor does his object in going to America appear to have been to obtain wealth; for he began his career in New York as teacher of a classical school. This may, we think, be taken as evidence, first, that his education had been thorough, and, secondly, that he had some delight in, or enthusiasm for, classical studies. It is a common belief that regular training at school and college tends rather to incapacitate for business than the reverse, and it is probably true that the drudgery attend-

ant upon commencement in trade, and the prosaic paltriness of scraping together small money profits, will be specially irksome to men accustomed to the delights of study. But business transactions, when successful, soon become complicated, and complicated operations can best be carried on by a trained and exercised mind. Lord Macaulay was always ready to put down the stolidly-practical man with a list of distinguished Prime Ministers and Chancellors of the Exchequer who had taken high honors at the University, and we have no doubt that, when Mr. Stewart found his accounts swelling in numbers and increasing in amount until they embraced millions, and the ramifications of his business extending through thousands of square miles of territory, he found also that the clearness of apprehension and the unity of glance necessary to prevent confusion in dealing with matters so vast and so complicated were promoted by the discipline which his mind had undergone at the University of Dublin. But the proposition that educated intellect was of use to Mr. Stewart in rearing his immense fortune will probably be less surprising to most people than the assertion that his success was due, in a still greater degree, to moral causes. When we hear that a man has died worth sixteen millions, the thought occurs to us, almost as a matter of course, that he deliberately made it the purpose of his life to gain riches. The presumption, in the case of Mr. Stewart, is that he did nothing of the kind. He must have been aware, from the day he landed at New York, that classical teaching was a less likely way of making money than engaging in business, and we have a right to conclude that if he had met with sufficient encouragement in teaching to enable him to live in the rank in which he had been born, he would never have abandoned it. That he was not impelled by a consuming thirst for gold seems to us to be exactly in accordance with the acknowledged spirit and habit of his earliest dealing. The man who is greedily bent on lucre naturally finds it impossible to keep his hands off those dirty little gains which, practically, are pilferings from his customers. He cannot find it in his heart to tell the plain truth as to his goods. He takes one price from one man, and another from another. He spends his energies in tricks of puffery. He thinks he is a clever and prosperous fellow when he gets a good

price for a bad article. All the time he is condemning himself to be either a bankrupt or an underling. Ingeniously stolen half-crowns lose him customers whose trade and good-will might be worth hundreds of pounds.

Whether Stewart was forced reluctantly into trade or not, he conducted himself in it from the first as one who was not under the imperious dominion of a desire to be rich, but who was determined to preserve, as a shop-keeper, the ideas of gentlemanly honor and truthfulness which he had entertained as the graduate of a university and the teacher of a classical school. We think it much more probable that his wealth was the natural result of his determination *not* to be rich at the cost of honor than that it was the fruit of an intense love of money. All that we have seen stated as to his rise confirms us in this impression. When he started in business men on all sides of him were making haste to be rich. According to the tradition of the period, trickery was rife. The Broadway shopkeeper had no scruple in persuading people, by his eloquence, to buy last season's goods at this season's prices, or shoddy at the price of good broadcloth. This young Scoto-Irishman, coming among them with his fine notions, would probably strike his competitors in business as marked for speedy destruction. He held on his way all the same. The smooth-tongued apprentice, whose glowing speeches to customers might have won him the smiles of another employer, was dismissed by Alexander Stewart. With all his might he looked out good articles, and he asked a fair price for them—no more. We are convinced that one of his chief difficulties—on the whole, his chief difficulty—must have been with his employés. It is hard to rebuke or dismiss a man who has, as he believed and intended, done you good service by taking advantage of a customer. It requires a most vigorous exercise of manliness and self-respect to command that, tricks of trade, which have been sanctioned by long usage, and which "everybody" has recourse to, shall positively cease. We have no difficulty in understanding that Stewart was regarded as a hard man, and was unpopular with those in his service. Just men, who absolutely decline to play fast-and-loose, are apt to be unpopular. But Stewart persevered, and his secret gradually became known. It was a twofold secret—that Stewart

would not cheat, and that he kept good articles. For we do not deny that, though moral principle was one main thing, power of brain was also indispensable. A man who does not understand his business cannot hope to succeed, however anxious he may be to act honestly; but if he is competent, and honest, and has courage and perseverance, success will come. Stewart knew consummately well what was wanted in dry goods, and by degrees the farmers throughout New York State, and the shopkeepers who wanted to get good articles for their customers, and the ten thousand ordinary people who had little knowledge of quality of goods, and were forced to trust to their tradesmen, came to his door. Beginning with a small store, he extended his operations until his two huge white blocks of building, one in the "down town" of New York, the other in the "up-town," were among the sights of the city. He was not a man of expensive habits or showy tastes, and avoided with appropriate scorn that extravagance and profusion in which the base cads who amassed large fortunes by dishonest speculation in the New York money market have indulged. He invested largely in pictures, which were hung in a gallery in his white marble palace in Fifth Avenue, where he dispensed stately but not ostentatious hospitality to many a European duke and prince. His charities are said to have been important, though unpretentious, and he chartered a ship-load of provisions for the Irish at the time of the famine. He was a strong Republican, and earnestly supported the Government in the war of secession. General Grant named him Secretary of the Treasury, but, as he could not hold the office without retiring from business, he declined. Once more he has demonstrated that even in the most money making city in the world, and among the "cutest" of mankind, honesty continues to be the best policy.

[*Belfast (Ireland) News-Letter—May* 4, 1876.]

THE LATE MR. A. T. STEWART.

To the Editor of the Belfast News-Letter: Sir—As it is nearly half a century since I commenced to do business with the late Mr. A. T. Stewart, and as I am probably his oldest acquaintance

and friend alone in Ireland, I give you a few facts connected with his history, as stated by himself.

Mr. Stewart's father and mother were Methodists, and so long as they lived, and for some time afterwards, he continued a Methodist. It was only when he became rich and married that he joined the Protestant Episcopal Church. Dr. Cooke at one time said that when people had to walk to church they were invariably orthodox; when able to afford a jaunting-car, they often became new light; but if they ever owned a carriage they were sure to go to the Established Church of Ireland. Dr. Cooke's statement was made some forty years ago, and I am happy to say there is a change since that time, and that people can worship without mixing with the upper ten thousand.

Mr. Stewart's parents, however, died whilst he was young, and the orphan boy was domiciled with a Quaker family (Mr. and Mrs. Lamb, of Peartree Hill, near the Maze). The Society of Friends practise Christianity, whilst too many of us content ourselves with professing it. This Mr. Lamb was grandfather to our respected townsman, Mr. Lamb, commission merchant, and also grandfather to Mr. Webb, of Randalstown, who, with the benevolence that distinguished the family, lately incurred so much trouble and expense in making the public aware of the danger of using poisonous room-papers. Mr. Lamb treated the orphan boy as one of his own family. He sent him and his sons, Joshua and John, to a school at Lisburn; thence he was removed to the Belfast Academical Institution for one year, and afterwards he was despatched on trial to serve an apprenticeship with a grocer, whose name I forget, but whose shop was pulled down when Victoria Street was opened up. At that time tea was a luxury enjoyed by few people. The business was of a very retail character. Young Stewart did not like it, and he emigrated to New York.

I do not believe Mr. Stewart was ever at Trinity College, Dublin. Five years ago I was showing him (Mr. Stewart) and his niece, Miss Smyth, the lions of the metropolis, and Mr. Stewart would certainly have mentioned the fact if he had ever been a student within its walls. He inherited no property either from his grandfather or any other person. He himself told me he had

never received a penny as a legacy; that in one case he had been bequeathed ninety pounds, but he had never got it. Like many Irishmen I could name, and with whom I was intimate, he was wholly the founder of his own fortune.

After Mr. Stewart landed in New York he obtained a situation in a school, and afterwards in a business establishment. Whilst other young men squandered their money, he saved it, and commenced business on his own account in a back street in the city. He had little capital, but his strict probity, punctuality, close attention, and economy secured him, not only the confidence of the public, but enabled him to obtain, practically, unlimited credit. In all my experience I never knew a young man to fail who followed the same system.

When Mr. Stewart had accumulated a little money he came to Belfast to buy linen and cotton goods. Our business transactions then commenced, and only ended when I gave up and retired. In our long intercourse we never had the slightest misunderstanding. Unswerving in his friendship, straightforward in all his dealings, no palaver would induce him to change where he was treated fairly. I never gave a recommendation to any young man to whom he did not give a situation; and as years rolled by I induced him (as I had induced Messrs. A. and S. Henry & Co., and several others) to open establishments in Belfast, so as to promote its trade and industry.

Some people thought Mr. Stewart cold and reserved in his manner. To supervise many thousand people, to arrange a business of buying and selling dry goods to the extent of £800,000 or £900,000 per week, left him no time for frolic and frivolity; but no one enjoyed a chat with a friend more than he did when the cares of the day were over. When he sent the cargo of provisions here thirteen years ago, he gave a free passage to as many people as the ship would hold; and on their landing he took charge of them, and obtained for every one a suitable situation. I did not know this Mr. Morrow, to whom he refers in his will, except by report. He was an amiable, good-natured man, who spent his money too freely. His daughters kept a school in Chichester Street. Mr. Stewart took them out, and provided for them most generously, and now he has left them a free house,

furnished, with an annuity of $12,000, or £2,400 a year. If Mr. Stewart had been spared to retire from business, I am persuaded he would have employed his colossal fortune like a Howard and a Wilberforce, for I knew many kind things he did of which the world was wholly ignorant.

When Mr. Stewart was last at Rosetta, nearly five years ago, he was anxious to find out a woman who kept an apple-stall at the end of the old Long Bridge before it was rebuilt. I remembered her perfectly. There are few boys at the institution who do not remember her and her apples. I tried in vain to find out whether she was living or dead, and I asked him why he was so anxious to give the woman something. "Why," said he, "when I was a boy at the institution, I had to cross the Long Bridge to go to Mr. Matthew Morrow's, with whom I stayed from school hours from Saturday till Monday. The fruit was very tempting. I had barely sufficient money to buy the necessaries of life, and when I came in sight of the tempting stall I used to shut my eyes and run past it." If our young merchants would only shut their eyes and run past the club, the billiard-room, the hotel, the horse race, and other frivolities, there would be few bankrupts in Belfast, and the fair fame of the town would not be lowered; and if our working classes would also shut their eyes and run past the public houses, there would be little employment for our respected stipendiary magistrates, for Captain Keogh, or our Poor-law Guardians.

During my life I have been intimate with Mr. Alexander Henry, who stood at the top of the trade of Manchester; Sir Wm. Brown, who was at the top of the trade of Liverpool; Messrs. Stewart, Bros., of New York and Philadelphia; Mr. A. J. Stewart, and the richest men in the world. All of them were temperate and abstainers, and that chief talent lay in what Sir Isaac Newton called "attention." Of late years, however, many of our young merchants have been spending their money before they made it, and I only hope the examples I have referred to, and the advice of an old merchant, whose sand-glass is now running down, will not be unheeded, neglected or disregarded.

Rosetta, 29th April. JAMES KENNEDY.

[*The World—New York, May* 24, 1876.]

RUMORED TROUBLE WITH THE STEWART HEIRS.

For some days past it has been "in the air" that a number, greater or smaller, of presumptive or presumptuous heirs to the millions of the late A. T. Stewart were preparing a combined attack on his will and on his successor and representative Judge Hilton. It is now said that this attack, in the form of an onslaught of "Turneys and Attorneys" will begin immediately. We give the rumor for what it may be worth, merely observing that Mr. Stewart is believed to have left relatives by the name of Turney, and that Judge Hilton is not the sort of man to be scared by any number of attorneys.

[*The Sun—New York, May* 25, 1876.]

AFTER STEWART'S MONEY.

How Many Only Cousins a Dead Millionaire May Have.—Advice from the Spirit Land for Mrs. A. T. Stewart.—Who will Contest Her Husband's Will.—12,000 Begging Letters Received.

The rumor that a number of persons professing to be heirs of A. T. Stewart were preparing to contest his will and to oust Judge Hilton, was mentioned to the latter yesterday.

"That's all nonsense," said Judge Hilton, laughing. "I never heard of it until I saw it in print. There are lots of people who would like to get a little of his money. Look at these letters," pointing to about fifty tied with a red ribbon. "That's a mere fraction of those that Mrs. Stewart and myself receive every day. I don't have time to read my own at all. They are rich, though," continued the Judge, laughing. "Just look here—just listen to this." Then he untied the bundle, and picking up letter after letter at random, read extracts from them, laughing at their contents. They were a motley lot, written by widows, old maids, poor girls, and men of all conditions in life. Some of them were from persons of high respectability; from ministers and business men, certifying to the honesty and good character of third persons who claimed to be relatives of Mr. Stewart.

One old lady in Keokuk, Iowa, sent her photograph, and asserted that she was Mr. Stewart's cousin and only relative. At the end of her letter was a certificate of her "honesty, integrity, and veracity," with the autographs attached of some of the most respectable business men in Keokuk, including one firm that is a customer of Stewart's wholesale store.

"You see," said the Judge, laughing, "that each one claims to be the only relative, and will not admit the claims of the others."

Some of the letters addressed to Mrs. Stewart contained expressions of condolence and grief for the death of her husband and the "dear relative" of the writers. One from a female cousin in Ireland began: "I have learned with great grief of the death of my dear cousin," and ended with expressions of sympathy with the widow. The writer evidently was cunningly withholding her request for money until after she had opened the way to the widow's heart.

"They usually write three times," said the Judge. "The first time they claim relationship; the second they complain because the small trouble of answering them has not been taken; and the third, they scold and threaten."

One "cousin," who had "distinct recollections and proof" of having worked for "my cousin" once, openly demanded, "What are you going to do for me?" "And if you ain't going to do anything for me, write and let me know it." Another writer seemed to expect that his "recollecting distinctly" that he had "given one of Mr. Stewart's relatives the small sum of —— dollars," entitled him to share in the great merchant's estate.

Among the most curious of these epistles were two to Mrs. Stewart from a spiritual medium in Boston. They were written in ghastly red ink, and professing to be communications direct from the spirit land, were signed, "Your dear husband, A. T. Stewart." In these letters Mrs. Stewart was directed to bestow money upon certain persons, and to conduct herself generally according to the views of the "spiritual" author. "I hear that you have been asked to go to Europe," said the "spirit," in one of the letters, "with him I called my friend." "That's me," broke in Judge Hilton, laughing as he read, "but I have no thought of going." "I advise you," continued the letter, "not

to go, for you would never return alive." In another place the "spirit" of the dead merchant assured his wife that he was not as rich in the spiritual world as he had been in material things on earth.

Another medium in Baltimore sent Mrs. Stewart a communication from the "spirit land" signed by her husband. In this, with great gravity of language, she was directed to purchase several thousand boxes of Dr. Moore's fever pills and copies of his medical book, which were to be distributed among the poor girls of the establishment, in order that they might know what medicine to buy. "The Judge will purchase them," continued the spirit, gravely, and the Judge laughed heartily when he read it. According to this "communication" the dead merchant is oppressed in the "spirit world" with the care of the "poor girls" who need help on earth.

One caviler in his letter advised Mrs. Stewart that no one man could advise her properly in regard to her business, and requested her to consult his friends, the Rev. ——— and Prof. ———, in regard to the management of her affairs.

Most of the claimants professed to be cousins of Mr. Stewart. Some said they had discovered with surprise their relationship after the great merchant's death; others had heard their parents say that they had a relative "in New York named Stewart, a great dry goods merchant;" and others gave accounts of the Stewart family, and offered to prove their relationship. In many cases the writers made no concealment of the fact that their object was to get money, and the demand for help was sometimes rudely, and often pathetically made. "The grief of some of these fellows affects me," said Judge Hilton. "It is really quite sad, and reminds one of Mark Twain weeping at the grave of Adam."

One writer assured Judge Hilton that he must be the long-lost brother in search of whom he had spent many years. Another informed him that he knew where $20,000,000 worth of stolen diamonds were concealed, and for remuneration would reveal his secret. A third had laboriously worked up the Hilton family history, and found himself and the Judge to be related. "This is the sort of stuff they send me," said the Judge, "by the

basketful, and they are the fellows who talk of contesting the will, I presume. Mrs. Stewart has received about 4,000 begging letters since Mr. Stewart's death, and I double that number."

[*New York World, May* 26, 1876.]

THE STEWART WILL.

THOSE "TURNEYS" AND ATTORNEYS AGAIN.

The World alluded on Wednesday to a rumor which had been some time in circulation, that a number of presumptive heirs of the late A. T. Stewart were about to begin legal proceedings to set aside the will. The report was discredited by some of the friends of the late Mr. Stewart and by his successor in business, Judge Hilton. It was worthy of credit, however, so far as it went.

A reporter for *The World* called yesterday upon one of the counsel who has charge of the suit about to be begun by blood-relatives of Mr. Stewart, or persons claiming themselves so to be. His name need not now be given, but the following is the substance of the conversation with him:

Reporter—I understand, sir, that you, with other legal gentlemen, are about to take proceedings on the part of certain persons who claim to be blood-relatives of the late Mr. Stewart to contest the will?

Lawyer—You surprise me. We intended to keep the matter a secret. But whoever your informant is, he knows what is about to be done. It is too early yet to give any particulars of the suit.

R.—Then it is a fact that a suit is to be brought against the estate of Mr. Stewart by supposed relatives?

L.—Yes, sir; I have the papers drawn, and we are only keeping them back to get certain evidence, which we might find difficult to get after the suit is begun.

R.—Who are the persons claiming to be Mr. Stewart's relatives?

L.—I cannot tell you; you must wait a day or two. But it is certain that they have a good claim, and when I tell you that the

case has been carefully considered, not by myself only, but by some of the most able lawyers of the city, you may infer that the claimants have something to go to the Courts on.

R.—Are the claimants of this country?

L.—Yes; they live in the United States; some of them in this city. They are all American born.

R.—Can you tell me what will be the grounds of action?

L.—Not yet. When the case does come up the public will be surprised at the revelations. I cannot understand why a man should have made such a stupid will as Mr. Stewart did and deny that he had blood relations living. Mr. Stewart was a man who did not recognize his poor relations at any time, and when he became rich he forgot them still more, and in disposing of his fortune he forgot them altogether.

R.—Judge Hilton laughs at the notion that any such relations are in existence.

L.—Yes, I see he does; but when we bring them into Court he may alter his opinion.

R.—I am told that there are eight or ten contestants.

L.—Well, you are not far out; but you must excuse me from giving you a detailed statement. I would do so if it were politic, but my associate counsel are adverse to publicity until the papers shall be ready for filing. They will be filed certainly on Saturday, if not to-morrow. In addition to the claim made by these relatives of Mr. Stewart, we shall attempt to show that undue influence was used to get him to execute the will which was made three years ago.

[*The World—New York, May* 27, 1876.]

THE TURNEYS.

INTERVIEWS WITH SELF-STYLED RELATIVES OF THE LATE A. T. STEWART.—THE WILL TO BE CONTESTED.—THE COUNSEL ENGAGED IN THE CASE.

The following narrative will be of interest to the public at large, as well as to sceptical persons who regard the interview in reference to the contesting of the late Mr. Stewart's will, published in *The World* yesterday, as "sensational," in the words of

an evening paper, which, after remarking that the conversation "pretended to be one between a reporter of *The World* and a mythical lawyer," was at the pains to call upon Judge Hilton, who of course had no knowledge of the movement. Judge Hilton receives daily many letters, begging, expostulatory, and threatening, from pretended relatives of the late Mr. Stewart in all parts of the country. He remarked the other day that Mrs. Stewart had received about four thousand such, and himself double that number. Whether the claims of the people about to begin this suit are wholly spurious, which is a question *The World* as a news gatherer has no interest in, or whether they are serious, Judge Hilton naturally enough remains ignorant as to their plans and intentions. The reporters of *The World* yesterday were despatched to interview all the Turneys whose names appear in the City Directory, and thus to help to settle the question which is strictly a matter of news whether or no such a suit is contemplated. Their reports appear quite confirmatory of the interview published yesterday with the "mythical lawyer."

VARNUM, TURNEY & HARRISON.

At 116 Broadway there is a gilt-lettered sign bearing the names "Varnum, Turney & Harrison, Counsellors-at-law." Within the office was a gentleman enjoying the modest repast of a ham sandwich.

"Are you a blood relation of the late Mr. Stewart, sir?" asked the reporter with delicacy.

The gentleman addressed looked up surprised and then answered pleasantly, "No. Why?"

Being informed he continued: "My name is Harrison, I am one of the firm, but you want to see Mr. Turney, I presume?"

"Yes; I should like to. Is he in just now?"

"No," said Mr. Harrison, "you cannot see him."

"When can I?—as I understand he is a blood relative of the late Mr. Stewart."

"That would be a very hard thing for you to do. He is dead. He died last October. But, sit down. Mr. Turney was a relative of Mr. A. T. Stewart, a blood relative; but this I did not know until after the death of Mr. Stewart. I noticed that his name was Turney Stewart, and made the remark to my partner, Mr.

Varnum, that it was singular the name should be Turney, and I was then given to understand that my late partner did claim to be related in some way to Mr. Stewart, but I paid little attention to the fact. I have read the reports published, but no proceedings mentioned in your report have been taken in this office."

JAMES & WILLIAM H. TURNEY.

No. 16 College Place, near Chambers Street, is a five-story stone house, and the floors are occupied by various business firms. As the reporter entered the hallway the name of "Turney" appeared painted in subdued colors on a small letter-box. At the top of this building the name appeared again, and it was discovered that it was occupied by the firm of James Turney & William H. Turney, electrotypers. On entering, the first person spoken to answered that his name was Turney.

"Are you a blood relative of the late Mr. Stewart?" asked the reporter.

"Yes, sir; I am."

"You are positive?"

"Yes; there is no doubt about it. You see I am busy at work now, and it would take too long to tell you all about it; but you wait a day or two and then you will see what the papers say."

"What papers do you mean?"

"Why, the papers the lawyers are getting up; they are nearly ready, and then you will have something to put in your paper."

"Who are the lawyers engaged?" inquired the reporter, innocently.

"Ah; that I must not tell. The lawyers did not want this to come out until they were ready, but you have got the start of them."

"But how am I to know you are a blood relative if you tell me nothing about your family history?"

"Well, now, if you want to find anything of our family and the A. Turney Stewart family, you go to my brother George, in Chatham Street. He is the oldest brother in the family and knows all about us. He has plenty of time, and will give you all the information desired.'

After a short conversation Mr. Turney resumed his work, and the reporter repaired to Chatham Street.

GEORGE W. TURNEY.

At No. 77 Chatham Street there is a printing, law-blank and stationery business carried on, and the proprietor of this varied business is George W. Turney.

The reporter entered, and on inquiring for the eldest representative of the Turney family and a blood relative of the late Mr. Stewart, was referred to an elderly gentleman at the lower part of the store. This gentleman was not dead, but sleeping in a rustic arm chair. A slight tap on the shoulder aroused him from his afternoon nap, and a kindly pair of eyes beamed upon the reporter.

"Are you a blood relative of the late Mr. Stewart?" asked the latter.

"Yes, I am that; and it can be easily proved, as it will be," was the reply.

"*The World* published a letter from you, did it not, a short time ago, denying that Mr. Stewart died without leaving any blood relatives?"

"Yes, and of course, in justice to myself and my brothers, I refuted the story in your paper."

"Are you prosecuting a suit to contest the will of your late relative?"

"Well, I suppose from what *The World* published this morning you know pretty much about how things are. But I may say we are, though for further particulars you must go to the lawyers. You know who they are, of course."

"Yes, I hear they have well considered your case. Who are interested besides yourself in this proposed suit, Mr. Turney?"

"Well, there is the Turney family; that alone constitutes nine; and then there are others claiming to be cousins. They are pretty well known, like myself; old hands at business, some in and some out of the city. Now for the Turney family. The parties in the suit to be instituted are myself—George W. Turney—Catherine Turney, Samuel Turney, James Turney, William H. Turney, Augustus M. Turney, the son of Pascal W. Turney, John H. Turney, Lucretia Turney. In addition to these there

are four cousins, who claim to be children of Mr. Stewart's sister, but you must find out for yourself. I speak for the Turney family."

"What is this suit to be brought for, even if you are the blood relatives of Mr. Stewart?"

"Now, you go to the lawyers. I am not one, and cannot tell you. My brother could if he were alive. But I believe it is understood that Mr. Stewart's will is really invalid; that he was not right exactly in his head, and many other reasons that we can't talk about. You must wait until it gets into Court. For my part, I should never have stirred in the matter; but when I saw it was published in the papers that the Stewart race was extinct I was annoyed, and that is why I wrote the letter I did."

"Did you know A. T. Stewart yourself?"

"Yes, of course I did. He came to this store during my father's time, and after my father died I spoke to Mr. Stewart about family matters. I knew Stewart when he was a teacher in Bragg's school, and I used to go to the Roosevelt Street school myself."

"Have you been on friendly terms with the Stewart family of late years?"

"Well, we did not visit each other. We were not unfriendly though. When we met we always spoke, and he would inquire how we were getting along. The last time I met Mr. Stewart was in a Bleecker Street car. He did not come to my father's place much, and so asked me how father was, and I told him that he was dead. They had had some dispute, and neither had seen each other for several years. I told him that he was dead, and he appeared to be surprised; but I believe he knew it all the while. That was the last time I saw him to speak to. Mr. Stewart's mother and my mother used, when living, to frequently visit each other. This was at the time my mother was living at Depau Place, Bleecker Street."

"Has Mr. Stewart recognized any other member of your family?"

"Oh, yes, my brother Pascal, who was a good lawyer. They used to have business transactions; but Pascal is dead now. He died in October, I guess worth about $200,000. Why it is not long since that some woman claimed to be a sister or some other relative

of Mr. Stewart's, and the first man instructed to inquire into the matter was my brother, the lawyer. Stewart always recognized our family as blood-relatives, although we did not keep up any close relations. Well, my brother looked into the matter and found that this person had no claim upon our family on Mr. Stewart's side. I think that ended the matter."

"Did any of your family attend Mr. Stewart during his last illness, or attend the funeral?"

"No, I think not; but I believe those who claimed to be cousins did."

"What is the relationship which you claim?"

"Stewart's grandfather and the grandfather of James Turney were brothers, and not, as I said in my letter to *The World*, their great grandfathers. My father came to this country from Belfast, about the year 1800. Mr. Stewart was born there also, in the year 1800, and not in 1803, as the papers said, and was seventy-six years old when he died. My father went into the publishing business, and for some years became prominent in his business. He failed, however, with his partner, Mr. Rust; but after a time he started again in the publishing business, and was the first to issue the works of Charles Dickens in numbers, having the illustrations for the numbers forwarded him by arrangement with Mr. Dickens."

Mr. Turney here broke off his story and produced an article which he said his brother, John Henry Turney, had published in the San Francisco *Alta*. John has been living in California a number of years, and is now well off. The article said, among other things:

"Years ago, when Mr. Stewart made a voyage to Ireland, and wishing to obtain of Mr. Turney his signature to a document relating to a valuable lease, after the fashion of the country, running for three lives, his being the third, he addressed him as Cousin James. Also, he took upon himself the charge to hunt up an estate of a brother of his and Mr. Turney's grandfather, who died in India and was reported to have left a large property. When a son of Mr. Turney was in New York, in 1868, he made purchases at the store of Mr. Stewart, and was asked, when selecting goods and viewing the premises, by one of the chiefs of the departments whether he was not a relative of Stewart's, show-

ing that even in his stronghold the facts of his relationship had penetrated."

After the slip was read, Mr. Turney remarked that he had nothing further to say. The case would be carried through, and of course if the will of Mr. Stewart should be upset, and it was found that he died intestate, the blood relations would expect to receive their share out of his estate. The case had been carefully considered, but by whom he was not at liberty to say.

HENRY M. TURNEY.

Henry M. Turney is a respectable looking gentleman, engaged in the boot and shoe business at 414 Fourth Avenue. The reporter found him busily engaged fitting uppers to soles.

"Are you a blood relation of the late A. T. Stewart?" he was asked.

"Not if I know myself, and I think I do," was the unexpected response. "His middle name and my last name are the same; and I believe that my grandfather was an Englishman, but I don't know that Stewart was any blood relation to me."

"Would you accept $100,000 if you should happen to be an heir to his estate?"

"Yes," deliberately responded Henry; "I think I would. Your idea is a good one. I will look up my genealogy, and see if my name Turney is not connected with Stewart's name Turney."

WILLIAM H. TURNEY.

William H. Turney lives on One Hundred and Fifty-ninth Street, near Courtlandt Avenue. The reporter called at his residence, but Mr. Turney was not in. An elderly lady, possibly his sister, came to the door.

"Are you a blood relation of the late Mr. Stewart?" asked the reporter, announcing his business.

"Yes, we are," was the reply, "but we are not going to say anything about it yet."

"Why not, Madame?"

"Because we have agreed not to."

"Can you not inform me how the relationship between your family and Mr. Stewart happens to exist?"

"No, I can't, and William won't either. We intend having this matter settled by law. We are honest relatives of Mr. Stewart, and if we printed everything in the newspapers it might spoil the whole business."

The lady evinced a decided indisposition to continue the conversation, and the reporter concluded by asking the direction toward Augustus M. Turney's residence, which, according to the directory, is on Grove Avenue, near One hundred and sixty-third Street. She said that her brother had moved to One hundred and Thirtieth Street, between Fifth and Sixth Avenues, in a new frame dwelling. To One hundred and Thirtieth Street the reporter went, but not a single frame dwelling between Fifth and Sixth Avenues could be seen. Diligent inquiry at every frame dwelling and a number of brown-stone fronts between Fourth and Eighth Avenues, failed to discover the whereabouts of Augustus and his family.

SARAH ANN AND HANNAH TURNEY.

Sarah Ann Turney is described in the directory as living at No. 306 West Forty-first Street. The block in which No. 306 is located is a populous tenement. Babies, geese and dogs played together in the gutter. Two fat women blockaded the entrance to No. 306, and to both the reporter applied for information. After a long consultation they agreed that they knew nothing of Sarah Ann Turney, and the housekeeper was called. She said that a woman by the name of Mary Ann Tierney had lived in the building about six months before, and took in washing.

Hannah Turney was down on the list as residing at No. 428 West Forty-fifth. This house also constitutes a portion of a tenement, but a much cleaner one than the former abode of Sarah Ann Turney. Hannah had moved away about two months before to No. 431 West Thirty-seventh Street. At the latter place the reporter was informed that Hannah had gone away, but was directed to a baker shop around the corner on Ninth Avenue for information about her. A German woman was in attendance, and her graphic instructions were minutely obeyed. She said: "Shust you go around mit Forty-fourd Shtreed up bast de lager-beer saloons till you comes to the last grocery store next to the

Eighth Avenue, and perhaps you can find oud some dings." At the grocery store mentioned the gentleman in attendance said a lady had moved in the building about two weeks before. Confident that the object of his search had been reached, the reporter was presented to a sickly-looking woman, with two crying children in her arms.

"Are you a blood relation of the late A. T. Stewart?" was the first question.

"I wish to God I was," was the reply, uttered with a spirit that the appearance of the woman did not justify. "I'm sick, my children are sick. I can't get money enough to buy bread for 'em. There's no work. What did you come here to ask if I was a blood relation of A. T. Stewart for? Do I look as though I was? Do —

"Madam," interrupted the reporter, "is your name Turney?"

"No, my name aint Turney; it's Edwards, which is a pretty sight better."

By the time Samuel Turney's residence at No. 166 West Tenth Street was reached, the evening was far advanced. Samuel had retired, and Mrs. Turney sent down word that her husband could not be seen before this morning, at his place of business on Chatham Street.

Mr. William O. Bartlett, Mr. Elihu Root, and Mr. William D. Booth, according to authoritative information, are the counsel in the case. Mr. Booth declined yesterday to give any information as to the case until the papers are filed, further than that which appeared yesterday in *The World*; and Mr. Root, who was found at his residence last evening, was equally reticent, saying that at present he had nothing to disclose; but as soon as he felt at liberty to speak of the case, he would gladly give all the information proper to be published. Mr. Bartlett could not be found.

The Stewart Estate.

Graphic of Yesterday.—A reporter of the *Graphic* called on Judge Hilton at the Stewart down-town store to-day, and called his attention to the sensational interview in *The World*. The interview pretended to be one between a reporter of *The World* and a mythical lawyer—name not given—"having charge of the

suit about to be begun by blood relatives of Mr. Stewart" against the estate of the deceased merchant, of course with a view to fingering some of the millions.

Judge Hilton said: "I know nothing about the suit, nor have I or the firm been served with any papers, writs or notices. I do not know the name of the lawyer referred to, nor do I know the names of the parties he purports to represent."

Mrs. Stewart and Judge Hilton are daily in receipt of hundreds of begging letters, and of letters claiming kinship. Some of the writers claim to be relatives of the late Alexander T. Stewart; others claim relationship with Mrs. Stewart or the Clinch family, and others show by carefully traced pedigrees that Judge Hilton is a near and very dear kinsman of theirs. "Of course," said the Judge, smiling, "these things would be simply ludicrous if they were not annoying."

One old lady in Keokuk, Iowa, sent her photograph, and asserted that she was Mr. Stewart's first cousin and only relative. At the end of her letter was a certificate of her "honesty, integrity and veracity," with the autographs attached of some of the most respectable business men of Keokuk, including one firm that is a customer of Stewart's wholesale house. Another writer said he had been very carefully examining the Hilton family history and found that himself and the Judge were nearly related. Another wrote to say that Judge Hilton must be the long lost brother in search of whom he had spent many years. Another informed him that he knew where $20,000,000 of diamonds were concealed, and that for a consideration he would reveal the secret.

[*New York Herald, May* 30, 1876.]

THE STEWART WILL—MYSTERIOUS MOVEMENTS OF THE TURNEY "BLOOD RELATIVES."—LETTERS FROM THE "SPIRIT LAND."—THREE WILLS LEFT BY ALEXANDER TURNEY STEWART.—WHAT SURROGATE CALVIN HAS TO SAY ABOUT THE CASE.

Nothing that has appeared in the newspapers of late has created such general excitement as the story that certain parties, claiming to be relatives of the late Mr. A. T. Stewart, were about to contest his will. When the statement was first made public there

was a manifest inclination upon the part of every one to doubt it, but now that these so called "blood relatives" have banded themselves together for a common purpose, and have, moreover, retained shrewd and talented counsel to plead their cause, the story can no longer be regarded as a rumor, but as a fact.

THE CONTESTANTS.

The contestants of the will are the members of the Turney family. It will be remembered that the full name of the deceased was Alexander Turney Stewart, and these parties who claim that in the disposition of his estate they were left out entirely "in the cold" are firm in their belief that they can prove their relationship beyond the shadow of a doubt. One of these, Mr. George W. Turney, of No. 77 Chatham Street, who seems to be most in earnest in pressing the suit, and who is perhaps better posted in the genealogy of the family than the others, says that there are nine Turneys in all, some of whom reside in New York and others elsewhere. The following are the names of those interested in the suit:—George W. Turney, Catherine Turney, Samuel Turney, James Turney, W. H. Turney, Augustus M. Turney, John H. Turney, Lucretia Turney.

SECRECY.

It is a very difficult matter to secure anything like a satisfactory explanation of the manner in which these Turneys are about to proceed in Court, or to surmise how they propose to establish their peculiar claims. From the time of the death of Mr. Stewart they have operated with the greatest caution and secrecy. It is not difficult to find their whereabouts or to secure an interview with them, but when approached they behave themselves in a very curious manner, and so adroitly do they evade the inquiries that one is sure to leave them no better posted in reference to the particulars of the proposed suit than if he had not seen them at all. Indeed, so strangely do they answer all important questions calculated to throw light upon the grounds for their procedure that one would imagine they did not intend a suit and that the story was a mere sensation, were it not owing to the fact that three well known lawyers have for many days past permitted their names to be repeatedly published as the special advisers of the family. This statement, undenied by the lawyers in question,

shows clearly that there is to be a suit, and that an attempt is really going to be made to break the will.

THE LAW IN THE CASE.

Admitting that the Turneys are actually what they style themselves to be, "blood relatives" of the deceased merchant, and taking for granted also that no three respectable and clear headed lawyers would identify themselves with a case that did not have some foundation in fact, it may prove of interest to review the law on this subject. There are only three grounds upon which a will may be proceeded against:

First—It must be shown that the party who made the will was unduly influenced; or,

Second—It must be shown that he was mentally incompetent; or

Third—It must be shown that the will is not executed in the form prescribed by law.

Therefore in proceeding with their suit the Turneys must establish one of these three facts. They cannot proceed simply upon the ground of relationship, for our law affords every one the right of disposing of his property to whom he pleases. Suppose, then, that they proceed upon the first ground—namely, that Mr. Stewart was unduly influenced in making his will. Undue influence would naturally, nay, must necessarily, come from the person who receives the residuary estate, and inasmuch as the greatest amount of Mr. Stewart's property was given to Mrs. Stewart, the undue influence must have been exercised by his wife. This certainly seems improbable on its face, and when it can be shown clearly and distinctly that Mrs. Stewart knew nothing whatever of the nature of the will until it was read in her presence, the supposition appears simply ridiculous. It is hardly reasonable to suppose that they will proceed upon the ground that Mr. Stewart was mentally incompetent, for his competency can be too clearly proven, and the will, as it stands to-day, shows that it was executed in the form prescribed by law. Here, then, are given the only methods of procedure that are recognized by the law. One of these three things must be conclusively proven by the Turneys before they can interfere with Judge Hilton by setting the will aside.

THE PAPERS TO BE FILED.

Since then the case, as the public understand it, appears so utterly hopeless, there must be, either in imagination or in fact, something with which the public is unfamiliar. In other words, there is a mystery involved which all the Turneys refuse to reveal, though it seems very singular that a life so open as that of Mr. Stewart, and a document so briefly and concisely written as his will, could be surrounded with anything subtle or mysterious. He left his property as many others who died before him have done—the majority to his nearest relative, his wife, and liberal portions to those who had proven themselves true and trustworthy in his service. Yet, despite all these circumstances, the attorneys of the Turney family have for weeks past been quietly gathering together their facts, whatever they may be, and it will be only a little while before they will file their papers in Court.

AN IMPORTANT INTERVIEW.

The readers of the *Herald* understand already how Judge Hilton regards this threatened action against his interests, for several statements upon this point have recently been published in these columns. It would be unnecessary to review his opinions now had he not yesterday, in a long conversation with the writer, given utterance to some very surprising facts, of which the public in general and the Turneys in particular are wholly ignorant.

"I assure you again," said the Judge, "that the Turneys have no ground for action. It is only by establishing one of three facts that a will can be proceeded against." Then the Judge discussed the law of the case in precisely the same manner as given above.

"Every one who knew Mr. Stewart," he continued, "any one who ever had intercourse with him; nay, any one who has simply looked from outside upon his business career, can clearly see that he was a man who could not have been unduly influenced, while an attempt to show that he was insane, or that his mind was in any way affected, is simply preposterous. Of course the will is drawn up in legal form. Mr. Stewart had, besides, the right to give his property away as he pleased without consulting anybody, and certainly he was not required to consult all these so-called blood-relatives whom he never knew, and with whom he

never had the slightest intercourse. How would he have been able to ascertain who were the genuine ones—whether they were the old woman in Keokuk or the old gentleman in Chatham Street?

ANOTHER WILL.

"Now," continued the Judge, "I will tell you something which neither the Turneys nor their attorneys know. There is another will that Mr. A T. Stewart made prior to his final one, which has not been destroyed. In it his property is distributed as in his last one, the residuary estate being given solely to his wife. Indeed, Mr. Stewart always had a will. He wrote many, but every one of them was written after the same form. Since I assure you of this, please tell me how there could have been any undue influence on the part of any one, or any degree of insanity upon the part of Mr. Stewart himself. Now suppose, simply for argument, that the Turneys succeeded in breaking the final will, then they would have to break the one written previous to it, and, in fact, would have to contend against every will that he made until all were destroyed. The task would be a hopeless one, as you can easily see, and the result aimed at could never be consummated."

SPIRITUALISM.

"This is all I care to say upon this subject, for I have another of deeper interest to the public than this proposed law-suit. I regard it as one which a great paper like the *New York Herald* should expose. Here (catching up a huge pile of letters) I have communications which are not only disgusting, but are really profane. They are addressed to Mrs. Stewart by spiritualistic mediums, and purport to come directly from the land of spirits. They are all signed A. T. Stewart, and purport to be written by him through the different mediums. Let me read you some."

Hereupon the Judge opened a letter and read. In it Mr. A. T. Stewart, through the writer, berated all those friends of Mrs. Stewart whom she best loved and who, while Mr. Stewart was alive, were his most trustworthy assistants. He stated that they deceived him during life, and begged her, in God's name, to abandon all of them at once and take new friends, the names of whom he gives. The language used is cold and threatening, cal-

culated to prey severely upon a woman's mind. "Follow my advice at once," says the letter. "I beg you to wait no longer. Do not dare to meet me in this spirit land if you disregard what I say to you. If you do you will suffer more in one hour here than in a life-time of trouble on earth."

"Now, these letters," said the Judge, "of course, cannot reach a person of Mrs. Stewart's intelligence; but there are many ladies of wealth residing in this city to-day whom they do affect to such an extent that they are constantly going to their clergymen for advice. Dr. Hepworth has had such difficulty with this subject that he has actually in some manner ascertained the tricks and devices by means of which this miserable class of people enact their shams, and can perform their sleight of-hand business just as well as the mediums themselves. He felt himself compelled to do this, that many who constantly go to him for advice could see that it was all a humbug, and not be imposed upon. I only wish I had some means of reaching the people who write these letters. I would make an example of them, I assure you. But see how guardedly they act. This letter came bearing a Boston post office mark, and was undoubtedly mailed there. I have every reason to believe that it was

WRITTEN HERE IN NEW YORK.

I will tell you my reason for thinking so. You understand, of course, that Mrs. Stewart pays no attention to these spirit letters, but hands them all over to me. I never, of course, make any reply to them. Please notice what happens. To-day, for example, a medium sends Mrs. Stewart a letter, purporting to come from her husband, enclosed in an envelope bearing the stamp of the Baltimore Post Office. The letter is ignored. In the course of a week or so a letter, written in the same hand and by the same party, is delivered by a messenger at the door of Mrs. Stewart's private residence up town. Now, this clearly shows that there is a perfect system used in the transmission of these letters, and that the mediums of one city do a great deal of business by the aid of assistants and confederates residing in another. I am overrun by these disgusting letters. I receive more than a dozen a day. They are wicked and diabolical in their designs, and among certain people are calculated to do a

great deal of harm. Their whole intent is to swindle and to secure money by the meanest kind of fraud."

AT THE COURTS.

After a diligent search through the various civil courts yesterday no trace of any proceedings in relation to the Stewart will could be found. There were no papers served or signed by any of the Judges sitting yesterday, and the matter of a disputation of the will left by A. T. Stewart was treated more as a joke than a question of serious import. The courts not developing any movements of the disputants, the County Clerk's office was next visited, but no papers could be found there. The *Herald* reporter then called upon Surrogate Calvin, and questioned him in regard to the matter.

"Have you any knowledge of proceedings being instituted or begun against the will left by the late Alexander Turney Stewart, which you have already admitted to probate?"

"I have not."

"Has there been any action taken before you in regard to the will, in any shape or manner?"

"There has been nothing before me. All I know in reference to the probability of any effort being made to set aside the will, is what I have seen in the newspapers. I know nothing officially in regard to it."

"Would any such proceedings—to set aside the will or contest its provisions as to disposition of property left by the deceased—first be brought before you?"

"I hardly think they would. As the case stands, any such proceedings would be first instituted in the Supreme Court, in the form of an equity suit. If, however, any proceedings were taken before me it would probably be done by the presentation of objections to the probate of the will."

"No such objections have yet been presented?"

"None whatever."

A RETICENT LAWYER.

It having been bruited about that Messrs. Bartlett, Booth and Root, lawyers, of Park Row, Wall and Pine Streets, respectively, had been retained by the Turney family, who proposed to contest

Mr. Stewart's will, a *Herald* reporter was despatched yesterday to ascertain what these gentlemen had to say in regard to the case. The two last named gentlemen could not be found, but the following conversation was held with Mr. W. O. Bartlett:

"I have been told, Mr. Bartlett, that you have been retained by the Turneys in the matter of the Stewart will; am I rightly informed?"

"As regards that matter I prefer to say as little as possible at present."

"Will you not say whether or not you are one of the counsel in the case?"

"I shall only say that I have been spoken to regarding the subject, and I have it under my consideration."

"You have not positively decided to accept the case?"

"I will not say that I have."

"Is there nothing whatever concerning the matter that you can communicate?"

"There is nothing just now. It would be entirely unprofessional for me at this stage of the proceedings to make known anything about the case."

REPORTER—I hope you will not think me impertinent, but I desire, if possible, to get from some responsible authority the grounds of the contest by the people who are said to be your clients.

"I must say again that, with all due courtesy to the press, I must decline to converse on the subject. You must see yourself that the Court is the place for the counsel to make all such statements and arguments, and not the newspapers.

"Will you say, sir, whether or not the contestants' case will prove a good one?"

"I cannot answer that; but I will say that I will have nothing to do with it unless it is. I am very particular as to what I undertake, and probably accept only about one out of every ten cases that are offered to me."

It was quite evident by this time that Mr. Bartlett would say nothing that was desired, so the reporter took his departure.

[*New York Herald—June,* 1876.]

The Stewart Will excitement is one of the things which could scarcely attain its present dimensions in any city outside of New York, and scarcely could grow at all in any other country than America. That so rich a man should die and leave nothing to a pack of persons claiming to be his blood relations is nothing new, and in a man growing from the small beginnings of Mr. Stewart, it is not unnatural that he should have hosts of thirty-first cousins that he never knew or dreamed of, and who from their poverty became separated from him by a hundred barriers. That such a man should make his wife residuary legatee is as just as natural. With an adviser as astute as Judge Hilton, there is not the faintest probability that there was a legal flaw in the will, and that it expresses just what the shrewd merchant desired is the smallest tribute we can pay to Mr. Stewart's sense.

[*New York Herald—June* 1, 1876.]

The mysterious movements of the lawyers who have for the past week bit their quills in wiseacre silence when questioned about the intentions of the so-called relatives of the late A. T. Stewart, ended in an open and bold attack on the millionaire's will in the Surrogate Court yesterday. The petition of the contestants recites that undue influence was brought to bear on Mr. Stewart, which resulted in the exclusion of these weeping blood relations from any pecuniary benefit in the old gentleman's death. It also recites that certain formalities were overlooked in the reading of the will, such as not summoning the heirs or the Attorney-General or his representative. The Surrogate has issued an order to Mrs. Stewart and Judge Hilton to show cause on the 15th instant why the will should not be set aside. We cannot wonder that the great estate has been marked out by the lawyers as fair game, particularly when each of the contestants is a Turney.

[*New York Herald—June* 1, 1876.]

STEWART'S WILL.

FIRST ACTION OF THE TURNEYS AGAINST THE DOCUMENT.—PETITION TO THE SURROGATE.—THE KINDS OF LETTERS THAT ARE DAILY SENT TO MRS. STEWART BY BLACKMAILERS.

Letters reach the widow of the late Mrs. A. T. Stewart daily bearing the signature of her husband, and of a nature to shock the most indifferent readers. They are addressed to her from all parts of the United States. They say, "I see the fatal mistake I made while on earth; I placed my confidence in persons unworthy of it and I caution you beware," or else they tell her that "from the spirit land I see things clearly and you had better place the management of your affairs in the hands of those parties who are named herein," and then they threaten that unless the widow does this her eternity will be one of misery and mourning. These letters are sent to her in every conceivable manner. They come, indeed, from almost every quarter of the country—from Boston, Philadelphia, Chicago, Baltimore, and Washington; from the North, South, East, and West. Nor is this all; they are sent by messengers to her house, and are thrust into the hands of her servants for delivery. At all hours of the day they trouble and torment her; nay, she knows that every mail will bring her these profane and brutal letters, the receipt of which she cannot forestall.

SPIRITUALISM AS A BLACKMAILING MEANS.

Who write these letters? Who are they who thus deliberately set about to torment a lady and fill her remaining years with pain and trouble? They declare that they are Spiritualists, every one of them.

Hundreds of scheming and dishonest men and women have deliberately gone to work for the purpose of influencing Mrs. Stewart to regard all her nearest friends as treacherous, as people unworthy of the slightest confidence.

The language in which their letters are couched is horrifying. It attacks the personal integrity of men who for years past have borne the purest character: it insults all those in whom Mr. Stewart had the most implicit confidence and trust; it is foul, indecent and in the highest degree profane; it, moreover, reveals a

degree of human depravity which is alarming to contemplate. Such is the character of the words addressed to "My Dear Wife," and are above the signature of A. T. Stewart. Such is the nature of the epistles which are constantly coming from "the spirit land" to Mrs. Stewart.

THE GHOULS OF THE ANCIENTS

were imaginary beings, but the ghouls of modern times have a positive existence They not only tear up the graves of the dead, but they seek to destroy the homes of the widowed and disconsolate.

For the past few days the public has been interested in the cunning efforts of the Turneys to upset the last will and testament of the deceased merchant. These parties are comparatively few in number when compared with the hundreds who have written to Judge Hilton claiming relationship to the late Mr. Stewart. A more ridiculous correspondence has seldom been read. The letters came, apparently, from all quarters of the globe. Each writer claims to be the only heir, and insists that his (or her) rights be immediately recognized. Old women, just toppling into the grave; young girls, just budding into womanhood; old men, whom undertakers regard with feelings of delight, and young boys, ambitious to step into a fortune in an hour, forward their letters to the Judge for their share of the estate. Some insist, some plead, while others threaten.

[*Brooklyn Daily Eagle—June* 1, 1876.]

The petition of the contestants of A. T. Stewart's will, which has been filed in the Surrogate's office, shows that instead of his having had no relatives in this country they are very numerous, and that three or more of them resided in this city. The petitioner, in whose name the document is filed, is Mr. James Bailey, of Hempstead, Long Island, who is the nearest of the relatives of the late millionaire. He, it appears from the petition, is an own cousin of Mr. Stewart, their grandfathers having been the same, and the mother of the one having been the sister of the father of the other. In other words, Mr. Bailey's mother was the aunt of Mr. Stewart. The other petitioners are the Turneys, of whom

there are several female heirs, bearing other names. The probate of the will is asked to be set aside on the ground of undue influence of Judge Hilton or some other person unknown to the petitioner. The will, it is stated, is not contested on purely financial grounds, but because of the fact that such pains have been taken to have it appear that Mr. Stewart left no kindred. The order of the Surrogate is made returnable on the fifteenth day of the present month, and at that time Mrs. Stewart and Judge Hilton will likely make public the further wishes of Mr. Stewart, which it was understood at the time of his death that they had in their possession. The will was a singular one, but the money was Mr. Stewart's, and he exercised the right that was undeniably his of doing what he pleased with it.

[*Brooklyn Daily Eagle—June 1st*, 1876.]

A. T. STEWART.

MR. JAMES BAILEY, OF BROOKLYN, CONTESTING HIS WILL.—AN INTERVIEW WITH HIM AND WHAT HE SAID TO AN EAGLE REPORTER.

A gentleman named James Bailey, who, for many years past, has been in the embroidery and lace business in this city, has already commenced proceedings to contest the will of the late Mr. A. T. Stewart. Mr. Bailey took umbrage at Judge Hilton's statement, that the dead millionaire had no blood relations, and so he determines to prove to the contrary. The usual legal proceedings in such cases have been commenced, and papers served in the matter. Mr. Bailey has Mr. Elihu Root as proctor, and Messrs. William O. Bartlett and William D. Booth, of New York, as counsel, and the matter comes up on the 15th instant, before the New York City Surrogate.

This morning an *Eagle* reporter called upon Mr. Bailey, at his place of business, No. 29 Clinton Street, and found him seated at his desk in a well-stocked store. The *Eagle* man happened to know the late merchant prince by sight, and as soon as he saw Mr. Bailey he recognized a strong family likeness. Mr. Bailey is

a little above the medium height, about fifty-five years of age, has gray hair, mustache, and chin whiskers. Time has furrowed his face with many wrinkles, but he has a mild blue eye, and very pleasant demeanor, and would impress a stranger at first sight that he was a quiet, unassuming gentleman. The reporter explained his mission, and Mr. Bailey smiled pleasantly and said that he would answer any questions that were proper, and would oblige the scribe with all the information he possessed.

The reporter at once asked him about his relationship to Mr. Stewart.

Said he: "I am

FIRST COUSIN TO MR. STEWART.

My mother, Mary Stewart, was A. T. Stewart's father's sister, and consequently A. T. Stewart's aunt, and I am therefore his first cousin. I would like to say, too, that I am not the only blood-relation that Mr. Stewart had; there are others both in this and the old country."

Reporter—Were you in the habit of visiting Mr. Stewart?

Mr. Bailey—No, sir; the last time I saw him was in 1857, and then I had an hour's conversation with him about family and other matters; the nature of that conversation was very pleasant and sociable.

Reporter—Did Mr. Stewart recognize your kinship to him?

Mr. Bailey—He certainly never denied it; I don't know that there was ever any occasion for him to assert it.

Reporter—Then the last time you saw him was in 1857?

Mr. Bailey—No, sir; that was the last time I had any conversation with him. I have frequently met him since, in his store, when I was over there on business, and he always bowed to me, always whenever he saw me.

NOT THE WILL STEWART INTENDED TO LEAVE.

Reporter—You were not recognized in the will at all?

Mr. Bailey—No, sir; and I would say that it is my impression that that will was not the one Mr. Stewart intended to leave. I think that of late years he has lost that wonderful strength and power of mind which he once possessed, and that he has been easily influenced. I don't think he ever said he had no blood

relatives, because I don't think—if he was in his right mind—he would tell a lie or even evade the slightest particular.

Reporter—Do you think, Mr. Bailey, that he was out of his mind?

Mr. Bailey—I will not say that; but I think, as I stated before, that Mr. Stewart's intellect of late years has gradually deteriorated and that he could be easily induced to do certain things.

Reporter—Whom do you suppose would try to influence him?

Mr. Bailey—That is a question I cannot answer, and would not if I had definite knowledge.

After Mr. Bailey had stated that he intended to push this action to set aside the millionaire's will, he told the reporter of his Brooklyn experience.

Said he: "I have been in Brooklyn since 1842, and in fact have grown up with the city. I have always been in the lace and embroidery business. I remember when all the principal stores were located between Sands and Prospect Streets. My first place of business was in Fulton, opposite High Street, then I moved up to the corner of Pineapple Street, and my customers used to tell me that I had moved out of the world; from there I went opposite Cranberry, in Fulton, then opposite Pierrepont Street, from there to No. 300 Fulton, where I remained about fifteen years, and from there I removed here and have been here three or four years. I remember this city when it was a village, or little better than one, and of course I have seen a wonderful change in it." After a short desultory conversation the reporter asked Mr. Bailey if he thought his action would be successful. He replied that he was unable to answer, but that he could prove his relationship to the deceased and could prove that he had other blood relatives. The reporter then left with a courteous "Good day, sir," from Mr. Bailey.

[*The World—New York, June* 2, 1876.]

THE STEWART WILL CASE.

Papers Served Yesterday.—Surrogate Calvin Explains the Manner of the Probate.

The papers were served yesterday on Mrs. Stewart, Judge Hilton, and Mr. Libbey in the application of James Bailey for

himself and fifteen others, to have the probate of Mr. Stewart's will set aside. It is a question whether papers must not be served on all the legatees mentioned in the two codicils. Counsel for the contestants say that they have already shown a *prima facie* case by the oath of James Bailey, and that it will be for their opponents to disprove the relationship. One of the points to be argued will be that undue influence was exercised over Mr. Stewart, and that prior to his death he was not always in his right mind.

A reporter of *The World* called upon Surrogate Calvin to obtain his statement of the manner in which the will had been admitted to probate. The following conversation occurred:

Reporter—Are you at liberty to say under what circumstances the will of Mr. Stewart was proved to you?

Mr. Calvin—I see no reason why I should not, if you desire it.

R.—It is said that you went out of your regular practice in admitting the will to probate.

Mr. C.—The facts are these: On the 12th of April, I think it was, Judge Davies came to me and said that Mrs. Stewart was very feeble, and would regard it as a special favor if I would consent to go to her house and take the necessary proofs of Mr. Stewart's will. He desired to fix Friday, the 14th, at 10 o'clock A. M., for that purpose, saying that there were no heirs or next of kin, and that therefore there would be no need of citation. I said that I could not go in the morning, because it was Good Friday, and I always made it my habit to attend Church. He then suggested Thursday evening, to which I assented. He then said that he would call at my office and procure the necessary blanks, and have them prepared so that there might be no unnecessary delay. He said it was important in reference to some business matters that there should not be any unnecessary delay in getting the probate, and that if the will was proved at the house it would greatly oblige Mrs. Stewart, because of her feeble health and recent affliction. Accordingly, I attended at Mrs. Stewart's, and took the proofs, it appearing to me by the testimony, verified by Mrs. Stewart only, that there were no heirs or next of kin. This will be seen by her affidavit. The requisite

proof was taken, and the will admitted to probate. A copy was delivered to me for record, and I brought it to the office the next day about one o'clock.

R.—Is it usual to cite the Attorney-General or the Public Administrator, there being no heirs or next of kin of the late Mr. Stewart?

Mr. C.—That, I think, is not absolutely necessary.

R.—Can the probate be vacated on the ground only that the will was not proved in your office?

Mr. C.—No. It is not necessary that this should be done to render the proceedings valid. The course which will have to be pursued is very plain. First, the question is, whether the parties to the suit are the rightful heirs and next of kin of the late Mr. Stewart. If they are, they are entitled to be cited and contest the will. This will give them at once a standing in court. The probate granted by me will then have to be cancelled, and the claimants will be heard.

Judge Hilton considers the proceedings of no consequence as far as the disposition of the estate is concerned.

The following remarks of the *Herald*, preface the publication of some of the foregoing letters:

[*New York Herald—June 7*, 1876.]

AN AVALANCHE OF HEIRS.

TWO THOUSAND KINSMEN OF A. T. STEWART ANNOUNCE THEMSELVES.—AND STILL THEY COME!—PEN AND INK PORTRAITS OF AN ARMY OF POOR RELATIONS.—THE SPIRITS HEARD FROM.

These letters are from people of both sexes, and show a great desire on the part of the writers to participate in any benefits that might accrue from their proposed division of the property referred to. The *Herald* reporter found considerable difficulty in getting permission from Judge Hilton to publish the letters, but, after consulting eminent counsel, he decided that he would give part of the correspondence, the rest being filed away for future

reference. In giving them Judge Hilton alluded to the fact that from the number of letters pouring in—there being twenty-two in one mail—some people might imagine that the entire human race, of all colors and conditions, might claim affiliation and kinship with the late Mr. Stewart. It seems that Mrs. Stewart receives very many letters every day, some of which are quite disconnected, while others border on the profane. Some of the letters are humorous, and request the widow of the dead man to proceed to divide the estate, and to be sure and answer their letters at once. Others are of a jocose character, and on the part of the writers there is a statement that they do not believe that they have any of the blood of the Stewart family coursing in their veins, but if there is any money to be distributed, to please "send it along at once," as one of the subscribers to a note states. Ireland was never so honored before by the multiplicity of her children with heraldic references to their ancestry. In fact, Ulster teems with claimants, and the shade of Anneke Jans must retire for a while. One letter was received from a personal friend of the late A. T. Stewart, who lives in Ireland, and from this letter it appears that A. T. Stewart's father's sister, whose child Mr. James Bailey claims to be, was named Mary Begley, instead of Bailey, and that Mr. Stewart, during his lifetime, recognized the claim, and paid the funeral expenses of the deceased many years ago. The letter referred to is printed below, the others being quite characteristic, and showing a well drawn portraiture of life in many phases. Many of the letters will prove interesting reading to the fair sex, as they contain revelations of domestic troubles and griefs, and hope and despair, such as can only be found in real life. There is a letter from Mrs. McCleary, of Keokuk, which is rather peremptory in its nature, and with it was a tin type likeness of herself in cap and mantle, having features of considerable firmness. Mrs. McCleary seems angry that Judge Hilton should not recognize her, and admit her claim at once as the only living relative of Mr. Stewart, and like an old lady she speaks her mind rather freely. Among other letters is one from Mr. Charles Edward Stewart, a name of onamantic memory, in which he shows the genealogy of the Stewart family, as he found it in the crumbling old church of Drumboe. This

record, it is claimed, shows the descent of the branch of the family whose late issue were cousins to the dead merchant. They seem to have started into Ireland, and probably received lands there on the Ulster plantations, about the time that James II. ran away from Ireland, after the battle of the Boyne. It is a story of the names of a dead and gone race in the old village churchyard of Drumboe, over whom hostile armies have since trampled and fought.

[*New York Herald—June* 16, 1876.]

THE STEWART ESTATE.

The legal fight for the estate of the late A. T. Stewart between the legatees and the outside claimants representing the Turney family has commenced before the Surrogate. The defensive measures adopted by Mrs. Stewart and Judge Hilton indicate that a stubborn battle will be waged by the present possessors against all comers, and during the present summer a dish of the highly sensational order will be served up to the public, which will be devoured with unusual relish.

[*New York Tribune—June* 16, 1876.]

There is no end of the "heirs" of the late Mr. A. T. Stewart, and the cry is still they come. From the far-famed haunts of romantic Erin, and from each quarter of our beloved country, the kinsmen and the kinswomen of the great merchant emerge as the contestants of his last will and testament. The latest claimant says that his name is Trojan, and that he lives in North Carolina. He also sets forth that his grandfather was Mr. Stewart's "own uncle." This uncle had two children. One of them married John Balfour, and by him had a son Andrew, who came to this country in 1771, and who "espoused the cause of America," and also (to use Mr. Trojan's words) "gave his life as a sacrifice upon his country's altar, being murdered in cold blood at his own home." He left a daughter named Tibby, who married John Trojan, by whom she had three children. One of them was John Balfour Trojan, the father of the present claimant, who is, it ap-

pears from this statement, and according to his own view of the matter, entitled to a very small fraction of Mr. Stewart's estate. We trust that this Trojan is not counting on it too confidently. A will can hardly be set aside because the testator had a hundred cousins of whom he knew nothing.

[*The World—New York, June* 16, 1876.]

The opening yesterday before Surrogate Calvin of the Stewart will case, proves that it is likely to become a *cause celebre* of its kind. The contestants, by one of their counsel, Mr. Bartlett, took great pains to make the public understand that they are pressing their suit in earnest, and in Mr. Bartlett's emphatic language, will never consent to any compromise but a declaration "that the will is invalid." They ought not to be surprised, however, that there should have been a good deal of doubt in the public mind on this point, for we live in curious times, and the Stewart estate is a bonanza in its way. Mr. Beach, on the other hand, did no more than justice, we are sure, either to Judge Hilton's self-respect or to his convictions of the strength of his position, when he announced the Judge's inflexible determination to maintain the validity of the will under which he is administering this vast property, at no matter what cost and inconvenience to himself.

[*The World—New York, June* 16*th*, 1876.]

THE STEWART WILL.

HEARING ON THE MOTION TO SET ASIDE THE PROBATE.—A GREAT ARRAY OF EMINENT COUNSEL—THE SURROGATE'S DECISION RESERVED.

In the matter of the petition to set aside the probate of the will of Alexander T. Stewart on the ground that due notice had not been given to the next of kin and on other grounds, a hearing was had before Surrogate Calvin yesterday. It was a busy day in the Surrogate's Court, but although his little square court-

room is not famous for its crowds, the beginning of what counsel promise shall be a "great will case" had brought in a roomfull of spectators who crowded the lawyers most genially. Speculation was rife as the calendar was called over, about the presence of claimants in the room, and no fewer than a dozen persons were picked out so incontestably like the late Mr. Stewart in countenance and stature as to be undoubtedly Turneys or Baileys. But one after another they turned out to be harmless attorneys waiting for the call of another case, or merely witnesses in the Stewart case, at present carefully kept anonymous by the counsel for the claimants. Of the thirteen "next of kin" to Mr. Stewart only two were present, Mr. James Bailey, of Brooklyn (claiming to be Mr. Stewart's first cousin), and his niece, and not a Turney of them all. Mr. Bailey, it is unnecessary to say, looks like Mr. Stewart. That is, he is below medium size and has a long rather than a round head, which were characteristics of Mr. Stewart also. Otherwise he does not especially "favor" him. The counsel for the claimants sat at the Surrogate's left at the one long table before his desk. They were, beginning at the extreme end, Mr. William D. Booth, a gray-bearded, nervous, pleasant and somewhat oldish gentleman; then Mr. Elihu Root, a young man in blue flannels, with sparse dark side-whiskers and a pugnacious long nose; and, finally, next to the counsel for the probate, Mr. William O. Bartlett, whose sagacious hooked nose was beyond question the best developed in the assembly, though it was a case of *primus inter pares*. Mr. Bartlett has a wrinkled, experienced face, deep-set eyes and a wide, bushy beard, originally brown, but verging on gray at the ends. All these gentlemen are long-headed. Of the counsel for the probate two are round-headed and two long-headed, and they sat alternately. Nearest Mr. Bartlett was ex-Judge Henry E. Davies, a gentleman of the old school, looking more like a family physician than a family lawyer, and wearing an old time standing-collar. Then came Mr. Henry L. Clinton, whom everybody knows by sight and who counts as a long-headed lawyer. Next him was Mr. Henry H. Anderson, florid and round-headed, a portly, sandy-haired, middle-aged man, in summer drab; and last and chief, Mr. William A. Beach, whom not to know argues the Beecher trial unknown, and whose unex-

pected accession to the case brought a buzz from the audience. Mr. Beach was the second long-head. Three of the noses on this side are Roman, Mr. Clinton's being straight. The Surrogate, Mr. Calvin, is a handsome, white-haired gentleman, with a placid forehead and firm under-jaw. Mr. Henry Hilton, Mr. Stewart's successor, sat near his counsel. He is portly, smooth-featured and complacent, with a round *brune* face, slight mustache, round, sparkling eyes, and well developed chin and under lip. There should be added to the notabilities the ancient and polite door-keeper of the court-room—an old gentleman in a brown wig—the very image of Mr. Samuel B. Ruggles, of the Chamber of Commerce and the Erie Canal.

A PRELIMINARY MOTION.

Mr. Davies, after the calendar had been called, made the preliminary motion that in so far as the motion to set aside the probate related to Mr. Stewart's devisements of his personal estate, it be denied. The petition of James Bailey, he said, contained no allegation as to the competency of the proof *factum* of the will of Mr. Stewart, nor any suggestion that the will was not duly executed.

Surrogate Calvin, who takes an active hand in all proceedings in his court, with the general view of saving time, said he didn't suppose that point was in question.

Mr. Bartlett (with politeness).—To save my friend's time and unnecessary labor, I will state that we concede that position.

Mutual explanations followed, and counsel bowed to each other all around. Mr. Davies then wanted to get an order dismissing that part of the petition at once. Mr. Root, on the other hand, thought that but one order could be entered, granting or denying the relief asked; and he didn't see why an order should be entered, denying the relief they didn't ask. There was a battle over this. Mr. Bartlett couldn't understand the pertinacity of his learned friend, Mr. Davies, in insisting upon such an order being at once issued; but he couldn't help thinking there must be a reason for it which lay beneath the surface, since his friend was not likely to move without a purpose. Mr. Davies returned his thanks for the compliment, and the Surrogate, while dismissing

the proceedings as to personalty, said he would sign no order till he had heard both sides.

Mr. Anderson now moved that the petition be dismissed entire, on the ground that the will having been proved as a will of real estate, there was no authority in the Court to set aside that probate. His point was that the Act of 1870, authorizing the vacation and setting aside of orders and decrees made in the Surrogate's Court, does not give authority for vacating the probate of a will of real estate, because the probate of such will is not dependent either upon an order or a decree, but upon proofs being made such as are required by the Statute. The Surrogate, he said, makes his certificate, and the will is entered on the Book of Wills, and from such book may be read as prima facie evidence; and that was all, for it stands not on any position where it may not be impeached or attacked by any person claiming to have rights against the will (Case of Kellum, 50th of New York). Again, on the moving papers the petitioner had not placed himself in a position where the Court, if it had the power, should vacate the probate; he had not even made a prima facie case. The allegations were that the will was not the last will and testament, and that its execution was procured by circumvention or undue influence, so that the burden of proof lay on the claimants. The will was not alleged to have been executed by a sick or otherwise incapacitated person. It was reiterated by two codicils. Supposing, for the purposes of the argument, that the petitioner was an heir-at-law and that he succeeded in setting the will aside, how did he improve his position in reference to the real estate? Supposing he proved the will to have been obtained by undue influence, how would that help him to one inch of the real estate?

Mr. Root—Is that only a point? It struck me as something like an argument.

Mr. Beach—We shall press with some urgency, first that your Honor has no jurisdiction; and, second, that if you have, under the Act of 1870 it becomes of a discretion, which it would be unwise and injudicious for your Honor, under the circumstances, to exert on this petition.

Surrogate Calvin—If you desire to have this point passed upon before putting in your answer and affidavits, I wish to say that so

grave a question should not be disposed of on the spur of the moment, and I must, of course, have time to determine it and hear both sides. It will probably be impossible for this Court to hear the testimony as to the relations of the applicants to the estate of Mr. Stewart. I shall suggest a reference to take the testimony.

THE ANSWER OF MRS. STEWART—AFFIDAVITS OF JUDGE HILTON AND MR. LIBBEY.

Mr. Bartlett thought that he ought to have a chance now to reply to Mr. Anderson; he didn't think it was best to postpone it to some future period in the history of the world, and give the other side three chances to his one. But it was decided to hear at once Mrs. Stewart's answer and the supporting affidavits. The first paper set forth that Cornelia Stewart was married to Alexander T. Stewart on the 16th of October, 1823, and had lived with him till his death; that she had no knowledge or information whether the petitioners or any of them were relatives of Mr. Stewart, and therefore denied that they were such; that Mr. Stewart's will and codicils were duly proved before the Surrogate April 13, 1876, and admitted to probate as the will of the real and personal estate, and that letters testamentary were duly issued to the executors and the executrix, and the will recorded as proved; that the application for probate and the proofs were made publicly, and not privately or secretly, or in great or unusual haste; that it was important that Mr. Stewart's great enterprise and business be not interrupted; that Mr. Stewart always said he had no blood relative or next of kin living, and that she never having any intimation or suspicion that he had left any, so stated in her affidavit, and believes that statement true; that the papers in question are the will and testament of her husband, so far as she has any knowledge, and his unifluenced and intellgent acts, not obtained by the undue influence of Henry Hilton or any other person; that during her long wedded life she never heard Mr. Stewart speak of the petitioners or any of them as his relatives or in any way related to him by blood or marriage, nor did any of them ever, during his life, to her knowledge, maintain any social relation to him or to his family.

Judge Hilton's affidavit was as follows:

Henry Hilton, of the City of New York, being duly sworn, deposes and says: "I knew the late Alexander T. Stewart, deceased, intimately for over twenty years prior to his death, which occurred on April 10, 1876. His last will and testament, bearing date March 27, 1873, and the codicils attached were drawn by me under directions received from the said Alexander T. Stewart at the time of their date. He was then in the full vigor of his intellect and memory, and at the time of receiving such instructions from him no other person than myself was present. I did not then or at any time influence or attempt to influence him in respect thereto, nor did I see or know of any person doing so. Until after his death I never communicated the contents of the will or codicils to his wife, Cornelia M. Stewart, or to any other person. For many years past I have been in the employ of the said Alexander T. Stewart, in the conduct and management of his property and affairs, and having from him a general knowledge of his plans and purposes. His business has been generally supposed to be the greatest, of a mercantile character, of this country, if not of the world, and has for many years required the constant employment of many thousand persons here and in Europe. During the whole period of my acquaintance with Mr. Stewart, to my knowledge he has personally directed, managed and controlled said business and the employés therein to the fullest extent which, as I believe, it was possible for any one man to so do. He so directed and controlled up to within a few days of his death, and his directions were given and followed from his sick-room with the same care and precision as when he was in health. For very many years past I have frequently heard him remark that he did not know of the existence of a single blood-relation; and it has been over and again, during the same period, published in the newspapers of this country and Europe, when writing of him, that he had no known blood relative living. A frequent visitor at his residence and a frequent guest at his table, I never saw at his house or at his place of business, or anywhere when traveling with him, as I frequently did, both in this country and in Europe, a person whom he recognized or spoke of as being a blood-relative; nor did I hear any person say that he was such a

relative. At the time of the death of Mr. Stewart I had, under his direction, general charge of his affairs, particularly those affecting his individual property, and was acquainted with his various plans, contracts and engagements connected therewith; that since his death, acting under the power of attorney from Mrs. Cornelia M. Stewart, who, under his will, succeeded to all his property, I continued the carrying forward of such plans, &c.; in general terms, these involved the construction of an extensive addition to the Grand Hotel and grounds and property at Saratoga Springs, N. Y., and the refurnishing and refitting of several hundred rooms in the old portion of the hotel; the expenditure under this head will, as I believe, exceed $350,000, the greater part of which has been already paid or incurred. These plans also involved the construction of water-works, gas-works and railway machine shops at Garden City, L. I., and the laying of about ten miles of gas and water pipe and the machinery connected therewith. The expenditure under this head, paid or incurred, or to be incurred as aforesaid, will probably exceed $350,000, and may reach $500,000. These plans further involved the completion of the Women's Home, or Hotel, on Fourth Avenue, in this city, intended as a public institution for the benefit of working women. Since the death of Mr. Stewart this work has been pushed, with a view to its early completion. The building contains about five hundred rooms, each of which is to be provided with water, steam-heat, furniture, &c. A large force of workmen have been for some weeks at work upon it, and under contracts made by Mr. Stewart before his death, and also under contracts made by Mrs. Stewart through me since his death. Specifications are now out for completing the building, and it is desirable that no interruption should occur in its progress, that the final painting, furnishing and completion may be reached as soon as possible. It is quite difficult at present to accurately estimate the amount of money required by the plan for completing and furnishing this building, but I believe it will exceed $350,000. In addition to all these expenditures already made or entered upon, there have been paid and extinguished since April 10, 1876, various other financial engagements of the said Alexander T. Stewart to the amount of millions of dollars, besides paying,

satisfying and discharging all the specific legacies left by the said will of March 27, 1873, and being upwards of $200,000, to various ten and twenty year employés, pursuant to the request contained in his letter to Mrs. Stewart dated March 29, 1873. Finally, I have in my possession a last will and testament, duly made and executed according to the laws of the State by the said Alexander T. Stewart in his life-time, and bearing date May 1, 1855, in and by which, after leaving various legacies less in amount than is given by his will of March 27, 1873, he gives and devises his entire residuary real and personal estate to his wife, the said Cornelia M. Stewart. This will was received by me from Mr. Stewart some months after the execution of the will of March 27, 1873, and has since been kept among his private papers."

There was some little stir at the mention of this will, though its existence was known. Mr. Libbey's affidavit was the last to be read, as follows:

William Libbey, of the City of New York, being duly sworn, deposes and says: "I knew the late Alexander T. Stewart for upwards of seventeen years prior to his death, and entered his employment in the year 1859. For many years I occupied the position of general manager of the wholesale business, and on February 1, 1867, became a co-partner with him in the business of his firm of Alexander T. Stewart & Co., and continued such co-partner to the time of his death. During my connection with him our intercourse has been constant, and I know whereof I speak when I assert that so far as it was possible for one man to conduct, manage and control so vast a business as that of the said firm, Alexander T. Stewart did actually and personally control it up to within a few days previous to his death. Of course it was not possible for him to see personally all of the many thousand employés of the house, but he did by personal contract with and instructions to the heads of the various departments of the business, and the direction of its foreign correspondence, see that all was carried on in conformity with his views and personal will. This practice was constant, and was as actual after March, 1873, as at any time theretofore. Knowing Mr. Stewart well and intimately as I did, it seems to me the height of absurdity to say that influence could, under any circumstances, control him in

making a will, or doing any other act with reference to his property or affairs. Further, during all the period of our acquaintance or connection in America, I never knew any one claiming to be blood-relatives of his, or knew him to acknowledge any such, or knew any to visit him as such. It was generally understood he had no blood-relatives living, and from its having been thus so frequently stated in the newspapers I really believed at the time of the probate of his will of March 27, 1873, being granted, that such was the fact."

CLOSING ARGUMENTS.

Mr. Clinton then moved to dismiss the proceedings so far as it related to real estate, upon two grounds, first, that the Court had no power to vacate the will of real estate, and, secondly, that whether it had the power or not, it would be unwise here to exercise it, and if the probate were vacated the petitioners would be no better or worse off, but in precisely the same case as before. He elaborated these points at length, the Court intimating pretty plainly as to the first point that it thought it had the power.

Mr. Root, in reply, said the question was whether the heirs-at-law upon whom Mr. Stewart's real estate naturally devolved at his death, had a right to be heard on the adjudication as to the validity of an instrument which deprived them of that estate. They found a stranger to the blood of the Stewarts in possession. By what title did he hold? By the adjudication upon this alleged will, wherein the heirs were not heard and adjudication not made in public and in open court, but in a private dwelling house, so that even the opportunity of common rumor was denied the heirs, that it was made before the sun had risen once upon Mr. Stewart's grave. And whether they were to be any better off with their rights than without them, they wanted their rights certainly.

MR. BARTLETT'S PLEA.

Mr. Bartlett closed the argument for the petitioners. He said: We have never had the slightest misgiving as to the intention of your Honor to perform your judicial duty faithfully and honorably. We know that there could have been nothing but a proper motive in the breast of your Honor. But what would the position have been if the truth, as it existed in the knowledge of God,

had been known to your Honor. The law would have paralyzed the hand with which you wrote the admission of that will to probate under those circumstances, because the law never conferred upon a Surrogate the power to admit to probate a will of real estate without notification to the heirs-at-law. How were you led into the admission of that will? By the affidavit of Mrs. Stewart that there were no heirs-at-law, as we understand. Now, if your Honor please, we need make no use of our own testimony. (Reading.) "The said Cornelia M. Stewart has no knowledge or information sufficient to form a belief whether the said petitioners or any of them are collateral relatives of the full blood or are heirs-at-law or next of kin." Not knowledge enough to form a belief! And yet it was she who made that positive affidavit. I make no reflection upon the character of that estimable lady. I don't believe she could have known what she swore to. Your Honor was misled. There then existed a right in Mr. James Bailey to be cited to the probate of that will. You have adjudicated upon the rights of our clients here. He was not heard, and you had no jurisdiction. You were deceived about it at the time; but the truth is he had a right to be heard, and your act is as void as if you had never performed it. Therefore we say, there has been no probate of this instrument. As to the effect of a decree which has been voided, we suppose it has all the virtue of a void decree and no more. Mr. Clinton says that this fortune has already become so vast that it must be permitted to roll on, although it rolled on crushing the rights of the State and of humble individuals. I hope my friend, who is accustomed to speaking at mass-meetings, will avow these political doctrines at his next opportunity in this democratic community. I use the word democratic in its classical and not in its partisan sense. He tells us that another reason why this probate should not be revoked is that there are so many people to work upon the land of the late Mr. Stewart. Upon whose land? The land of our client here. There are so many people to work upon it that another man—a stranger—should have it and not the rightful heir. Weak, indeed, and hopeless must be the case that has no better arguments than this. Then he says if we were deprived of this right we lost nothing. How does he know what we lose? We may lose

millions. We lose the right to have that will, which has so gladdened the eyes of the principal legatee, presented to our eyes. Let us see what there is to that paper so precious that it cannot be allowed to lie down on the table on the probate, while a copy is made from a copy. It may be all right. If it is all right, nothing will redound so much to the credit of Mr. Hilton as to let the community so understand it. I wish him and his counsel to understand that we are attempting no injustice in this case. If that will is a good will, we shall acquiesce in it, but why keep it from the light of day? Why resist the movement there? It seems to me that honor, character, standing in the community, every consideration, considerations worth more than money, should prompt them to come forward with open hands and volunteer to let the poor, humble but respectable relations of Mr. Stewart look at that will with their own eyes and be convinced by ocular demonstration that they should be deprived of the estate by the will which the law has given to them. Has my friend forgotten the teachings of Mr. Justice Storey, that the deprivation of a right implied in itself an injury? Our position is that this probate before your Honor is altogether void. If it were a matter of discretion, we should feel that we could safely appeal to the discretion of a Judge of greater importance to the community than any other one magistrate. Here every man comes, in his estate, if he has any, and in his heirs at the last. Here absolute impartiality should exist, not only not to do wrong, but to right fully and immediately any wrong which may have been inadvertently done.

MR. BEACH'S PLEA.

Mr. Beach closed for the probate and said: I fear I shall not be able to add anything new; and yet this is an occasion, sir, which requires very thorough and impartial consideration, not only because the decedent was a man of rare quality and fortune, but because this Court, which, more especially, is vested with great equitable powers and discretion exerted over the most delicate and important subjects which are of the interests of the community, should look well to it before disturbing large interests, and indulging in grave reflections upon the survivors of Mr. Stewart, that there is some real necessity that the interests of somebody—not technical and formal, but real and substantial—

require that your Honor shall interfere with the probate of a will disposing of a vast estate. The will and the probate are upon their face valid and regular. And it is not wonderful, sir, with the known history of Mr. Stewart, with the impress which he has made upon the events, commercial and industrial, of the last half century; it is not wonderful, looking at his wealth and his enterprise, associated as it is with the highest interests of the community, that men should look anxiously to this application. For fifty years, sir, he has moved before our eyes, not obscurely, not unnoticed, but from the very greatness of his capacity and of his enterprises, demanding and concentrating the interest of this community, and going through the varied interests which give to this community its prominence, its civilization, its charity. When such a man dies and leaves a vast estate, and around it crowd unknown relatives, for the first time in half a century, alleging their blood connection to the deceased, over whose grave they propose to squabble, when, like ghosts, innumerable they come from every section—north, south, east, west—from every grade of the community. Nay, when the power of Spiritualism is invoked, and the secrets of the future are unveiled, it is not surprising that men should inquire, "What mean these attacks upon the estate?" The man lived before us for fifty years, clear-headed, forecasting, enterprising, wielding an estate unequalled in its commercial relations, and with a vigor of intellect and a power of will which allowed no obstacle to success. Thus gifted and thus active until the very hour when death closed his eyes—this man—these unknown harpies, gathered thus from every section of the community, clamoring that A. T. Stewart was overcome by undue influence three years before his death, prate of their rights in the face of his will; demand, as a matter of right, when the probate of that will was all regular upon its face, when the measure of your Honor's jurisdiction was filled amply; talk about your Honor's attending the probate of that will at the residence of the widow of Mr. Stewart, under the circumstances disclosed by this proof under the emergencies surrounding the agents who were left to carry on his great enterprise. Your Honor is substantially rebuked, that out of consideration for an aged and weeping widow you were courteous enough to a woman

to take the proofs of his will at her house. Well, sir, it reveals the spirit and the motive which underlie this proceeding. If I can show your Honor that this probate in no degree affects the interests of these petitioners, and if you can perceive the spirit which animates this proceeding, that it is but a mere plundering raid upon a rich estate, the question becomes vastly important, whether your Honor, in the exercise of a discretionary power, will overturn the probate upon a simple allegation of an heir-at-law that the testator was unduly influenced. They say we are trampling upon their rights; trampling with vast wealth upon the rights of the poor and humble. The undue influence, they say, was "by Henry Hilton and other persons." Really! Admit in their petition that they don't know who was the guilty man! They cannot even tell who practised the undue influence. They admit the execution of the will.

Mr. Bartlett—We deny it *in toto.*

Mr. Beach—Shall your Honor, for no good to any living person, order an inquisition into the testamentary capacity of the testator? I grant the probate is void as for me. What has the gentleman to complain of? The order of probate is void. What does he want to set it aside for? Will my friend answer me now?

Mr. Bartlett—If any gentleman will enter an order to that effect it is all that we desire.

Mr. Beach—Ah, ah, with costs out of the estate! (Laughter.) No, sir; no, sir. Howl as long as they will over this estate, their greed never will be gratified. They have got a will as firm and imperious to meet as the will of him who is gone, and, if these gentlemen think that by any assaults upon the interest of this estate, that by any threatened litigation the owners of this estate are to be driven to any compromise, they will find themselves most grievously mistaken.

Mr. Bartlett—On the first intimation that there is a seeking for a compromise here I wish to disclaim it now and forever. The only compromise that will ever be made by me or by my consent will be the decision that that will is invalid. Mr. Henry Hilton has not money enough to get any other condition from me. I trust my learned friend, who is always a gentleman, will not fur-

ther in these proceedings ever make a remark of that kind. We can try this case, I trust, as gentlemen and as brothers at the bar, and without any unjust aspersions upon each other.

Mr. Beach responded amicably, and Mr. Bartlett went on to say, "I think a black-mailer ought to be hung."

Mr. Beach—So do I.

Surrogate Calvin—I don't think these things look well for the proprieties of a court.

Mr. Bartlett—I should not have noticed it so much if I had not seen something of it in the public press.

Mr. Beach—Well, I hope you won't visit the sins of the press—especially of the *Sun*—(laughter)—on me.

A rather desultory re-enumeration of the points on both sides, notwithstanding the Surrogate's occasional announcement that he understood the case, followed. Finally, he took the papers, reserving his decision.

[*The Northern Whig—Belfast, June 27th*, 1876.]

THE LATE MR. A. T. STEWART—A MARTYR TO MILLIONS.—It must, says the *Globe*, be a terrible thing to receive a legacy of seventeen or eighteen millions sterling. Many people may, perhaps, imagine that they would rather enjoy the experience. There is something inspiriting in the notion of having some fifty thousand sovereigns to spend every twenty-four hours. It might be hard work, unless the possessor speculated in foreign securities; but plenty of folks would like to try the experiment once in a way. They would soon have cause to regret their good fortune, if they were persecuted like the widow of the wonderful millionaire, whose death was recently lamented by New York. Her life has been nothing better than a martyrdom since it became publicly known that her husband's enormous wealth had devolved on her hands. Wherever throughout the entire world indigence and impudence chanced to be united in the same individual, there was discovered a scion of the house of Stewart. The unfortunate lady has received no less than 4,000 letters from

miscellaneous Stewarts, claiming kinship with the deceased; and, curious to relate, each writer declares himself or herself "the sole surviving relative of your poor, dear husband." Probably this vast cousinship is as unprecedented as the amount of money piled up by Mr. Stewart during his lifetime. This forms, however, only a portion of the trouble entailed upon the widow by her prodigious legacy. The spirits have attacked her tooth and nail, with all manner of suggestions about the disposal of her millions. As a rule these disinterested and disembodied creatures recommended her to send specific sums of money to certain named persons, who, of course, were altogether unconnected with the spirit world. But a Baltimore medium showed more genius. Speaking in the name of the deceased, he desired Mrs. Stewart to purchase several thousand boxes of Dr. So-and-So's fever pills and copies of his medical works, and to distribute them among the numerous employés at the great dry goods store. As it is impossible to imagine that all of the workpeople were suffering from fever, we must assume that medical science in spirit-land proceeds on the theory of prevention being better than cure. Nevertheless, it is a terrifying thing to believe that one of the duties attaching to the possession of millions is the purchase and dissemination of quack medicines. Is murder considered merely a branch of the fine arts by the ingenious shadows who batter their disciples with banjoes by way of proving their own superiority?

[*London Saturday Review—July* 1, 1876.]

MR. STEWART'S COUSINS.

We have often heard of "our American cousins," but it is only now that we fully perceive the advantage of family ties. All persons of the name or kin of the late Mr. A. T. Stewart, of New York, either within the United Kingdom or elsewhere, may hope to get a share of his estate by asking for it, and may be certain they will get nothing if they do not ask. It is stated that two thousand letters of application have already been received, and nothing short of the distribution of the whole estate seems likely

to stop the flow of correspondence. A lady addressing Mrs. Stewart, from Ireland, makes the overwhelming statement that "your husband, Madam, was first cousin of the father" of the person whose claim she advocates; and, after describing the circumstances of this person and his wife, who are school teachers, she concludes, "Madam, for the sake of your husband's memory, assist and forward these cousins of his." This lady writes again, after a fortnight's silence, having omitted the precaution, which we should think particularly unnecessary, of registering her first letter; and she adds that the applicant, "in conduct, education, and principles," will not be found wanting, and his three sons, all under eighteen years of age, are nice and good lads. The next claimant is one named in a paragraph of a journal published at Louisville. She is the widow of a surgeon of the United States army, and had the same grandfather as Mr. Stewart. But he "seems to have been ignorant of her existence," and possibly she was ignorant of his We should be under the mark in saying that the late Mr. Stewart turns out to have had more cousins than the Queen of England, to whom a large part of the peerage is supposed to stand in this relationship. Stewarts form only a small detachment of claimants. A lady, whose name even before her marriage was not Stewart, writes from England that she has a husband and thirteen children, and had lived in hope to see the deceased once more; but her hope in this world is gone, and she looks forward to the next. These pious and appropriate sentiments are not, as we understand, to be taken as implying that the writer does not hope to meet in this world with a share of Mr. Stewart's estate. This lady's statement that she had felt "intense grief" at the death of a cousin whom she had never seen since childhood, must also be accepted rather less than literally.

It is appaling to contemplate the possible range of cousinhood to a Stewart. To begin at the beginning, her present Majesty is, as the learned reckon, the 119th Sovereign of Scotland, a monarchy which may justly be called the oldest in the known world, seeing that fourteen of its Kings are believed to have reigned successively before the birth of Christ. We will not, however, dwell on times which cavillers may call præhistoric, or even fab-

ulous, but will come down at once to those unquestionable personages Banquo and his son Fleance, of whom the former was murdered by the usurper Macbeth, and the latter saved his life by flight. He married the daughter of Griffith ap Llewellyn, Prince of North Wales, and had a son, who returned to Scotland, and there did good service to the King Malcolm III., and was by him created Lord Steward of all Scotland, from which office his family afterwards took their surname. His descendants growing eminent, King Robert Bruce gave his daughter in marriage to one of them, and on her son Robert the crown descended after the death, without issue, of King David. We are told that this Robert was the hundreth King of Scotland and the first of the name of Stewart. Thus all bearers of all varieties of this name may, if they please, allege that they are cousins to the Queen of England. The most direct line of descendants of Fleance are, we believe, the Earls of Galloway; but there are half a dozen or more other lines of Stewarts among the landed gentry of Scotland; and for three or four centuries younger sons of these houses have emigrated to Ireland, and founded families which have generally been prolific. The great deceased dry-goods man of New York is one of these Irish Stewarts, and another is the Marquis of Londonderry, whose family name has passed to the coal raised on his estate. When *Macbeth* is performed under Republican institutions, it would, we think, be proper to introduce a portrait of Mr. A. T. Stewart among the visionary progeny of Banquo. He was not a king, but he was something bigger than a millionaire, something for which a word has yet to be invented. It appears from a pedigree published in the *New York Herald* that Captain William Stewart, of Garlies, Scotland, settled at Ballydrene, near Belfast, in 1608, and it is suggested that the illustrious draper was an offshoot of this stock. If this were so, the gorgeous funeral of which we lately heard might have displayed the double tressure counter-flory of the Kings of Scotland as part of the coat of arms proper to the deceased. This double tressure with its *fleur-de-lys* was given, say the Heralds, by the Emperor Charlemagne in token of amity to King Achains of Scotland, in the year 792; so that it has been borne, at least mythically, by the Stewarts or their forbears for more than a thousand years.

An English Stewart has already offered condolence to the widow "on mourning notepaper with the crest of the writer, a pelican feeding its young, and the motto 'Virescit vulnere virtus'"; and the *New York Herald* evidently thinks the compliment would be agreeable. Also the writer has subjoined to his letter a schedule of the names and ages of his children, which he thinks may be interesting to the widow, whom, towards the end of his letter, he calls aunt. The next letter of the series begins by calling the same lady "Aunty," and the writer who is herself a widow, has, of course, her budget of troubles to produce. Her first husband, who was a lieutenant-colonel, went back to his regiment after marriage, and was killed within three months. Her second husband, who was a dry goods clerk and a Stewart, came from Ireland, and she married him on his death-bed in the morning, and he died at night. Afterwards this lady lost money by the failure of a bank, and she was injured by stepping upon something which caused a board to fly up and hit her, as she elegantly expresses it, "in the bowels," and she fainted away, and has been sick ever since. She was attended by two doctors, one of whom died of fever, and the other was thrown out of his carriage and lies in a dying state; so that it seems she exercises a fatal influence on the other sex. Before she met with this accident she supported her father and mother, but now the City of Watertower and the Episcopate thereof support her and them. "Uncle Stewart" once gave her five hundred dollars, and she expected that he would will her something. But, as he did not, Mrs. Stewart and Judge Hilton will no doubt supply deficiencies, and—N. B.—only two banks are safe to make remittances.

It had been reported that Judge Hilton had said that Mr. A. T. Stewart had no living blood relatives: but if he made such a mistake, it has been abundantly corrected, as two thousand kinsmen have already declared themselves, and other thousands loom not obscurely in the future. A cousin writes from Vermont that he is too late to see the deceased personally, but would be glad to hear from the widow. A lady, who suggests that perhaps she may be a cousin, thinks it as well to state plainly that she is in very poor circumstances, and if the relationship be established, she will expect assistance. A second cousin, writing from In-

diana, pictures to Mrs. Stewart her meeting with her husband "in a better world," and his asking how she had administered his estate, and her answering that she had done about right with it, and among many acts of benevolence and gifts to the meritorious poor, she will remember giving to a poor disabled relative of her husband who lived in Indiana "the small sum of $——," and he expressed much gratitude. The figure is left to be filled up at Mrs Stewart's discretion. These letters have been published in the *New York Herald*, being a selection from a much larger mass with which Judge Hilton and Mrs. Stewart, as executors of the deceased, have been overwhelmed. Among other influences, that of spirit-rapping has of course been brought to bear; but the deceased, as thus interpreted, confines himself to wishing that little books on the care of health may be distributed among the boys and girls of some charitable institution, and he mentions the name of the author of these valuable hygienic treatises. He now perceives that he might have done more on earth to comfort the poor, and thereby obtain their blessings, which would have been "capital in spiritual life." If the repose of the soul of the deceased can be promoted by the distribution of little books on health to boys and girls who will not read them, it may be hoped that the executors will make the necessary outlay. It can hardly be doubted that all these letters are genuine compositions of persons who take each the method which seems best to him or her of attracting the golden shower. One lady sends her photograph to Judge Hilton, in order that he may recognize a family resemblance, and obtains the "endorsement" of a firm of dry-goods merchants of Keokuk, where she dwells. A lady of Blue Mountain, Missouri, states that her mother was an Irish Stewart, and had eight children, and if Mrs. Stewart does not feel disposed to give money, anything will be acceptable. A lady of Iowa mentions that she is ready to pay Mr. Hilton's professional charges for making a claim on himself, and she does not think he would do it without payment; but then, as she pertinently remarks, he will have power to help himself. The lady whose "bowels" had been interfered with by a desultory plank seems to think that there may be something wrong, figuratively speaking, in the bowels of her revered aunt, and, in order to stimulate the action of

family affection, she states in a further letter that she was in her uncle's employment eleven years, and worked in the undercloth-ing shop where "ladies' and girls' clothing" is made up, and, besides, "she clerked it in the stores for uncle." As she is poor, she would wish Aunty Stewart to do what she can right off.

It is certainly surprising that Mr. Stewart did not discover this numerous class during his lifetime, particularly as he is said to have had a Scotchman's fondness for his family and name. Even the cousin who claims to have slept in the same bed with him seems to have been forgotten. But perhaps he remembered that the pelican of fable only feeds her own children, and is not in the habit of being "Aunty" to all the callow orphans who would like to drink her blood. The ancestral crest of Stewart, "a pelican feeding her young in a nest," might easily be adapted to the case of the widow of the dry-goods merchant among his clamorous heirs. The pelican would of course be Mrs. Stewart, and Mr. Hilton, being a lawyer, would be properly represented by an owl; while as many little pelicans as a very capacious nest would hold would be sitting with their beaks wide open, and looks of love concentrated on "Aunty," and other little pelicans would be climbing into the nest, and endeavoring to eject the fortunate occupants of places at the feast. On the whole, we think that the pelican of Stewart is even a more distinguished bird than the spread-eagle of America. A meeting of the claim-ants on the estate would form an interesting international compe-tition, and might be held at the Centennial Exhibition. Although Stewarts reveal themselves in America as sudden and numerous as the clan Alpine on the hill-side, yet Scotland and Ireland are not likely to prove deficient in capacity for swallowing any good things that may be got out of this estate. *Virescit vulnere virtus*, and numerous offshoots have not drained the life of the parent tree. We take it on ourselves to state that all the Scotch and Irish Stewarts were very fond of their American cousin, and only wish that they could have seen more of him. But still they sometimes feel that they scarcely appreciated his noble qualities as they deserved:

> Oh! while our cousin with us lived,
> Would we had loved him more!

[*Graphic—July*, 1876.]

Mr. Tilden's friends claim, as one of the greatest and strongest reasons why he should be made President, that he is a bachelor and has no relations in the world, and consequently no brothers-in-law, &c., with which to fill the offices in America. Vain hope; just wait till after he is President, which heaven forbid. Who would have thought a few months ago that in six short weeks A. T. Stewart would have developed a bigger family than Noah and his descendants were able to raise in 1900 years?—*Hawkeye.*

[*Evening Post—July*, 1876.]

THE CONTEST OF THE CURTIN COUSINS.

In the matter of cousins, Mrs. Bridget Curtin, better known as Biddy Curtin, was as well provided for as the late Mr. Stewart; and it is a remarkable fact that both Mr. Stewart and the applewoman (for Mrs. Curtin was a small dealer in small fruit) lived long and useful lives in utter ignorance of their wealth in this respect, and it was, in both cases, their respective accumulations of wealth in another respect, that caused the spontaneous appearance of the relatives in question after they had departed for another world, in which, let us hope, there are no cousins. It was put upon record not long ago that Mr. Stewart revered applewomen as a class, and liked them to dispense their wares near his establishments, believing that good luck hovered about the stands of those nomadic dealers in the gillyflower, the late russet, the midsummer peach and the perennial and always indigestible sliced pineapple. Now, after his death, whether there was any truth in his theory of good luck or not, it is proved that there was cause enough for the merchant's sympathy with the class, in the bad luck in the matter of cousins, which he had in common with this typical applewoman, Mrs. Curtin.

Bridget Curtin was, so far as is known, an estimable woman who for many years kept her stand at the corner of Canal and Thompson streets. Here she toiled early and late, and her kinsmen never troubled her. Here she tempted the small boy to look upon the iced lemonade by making it red within the cup by the

addition of the harmless raspberry; and retailed Spitzenberg apples, polished with a tooth brush until they shone like billiard balls, without ever dreaming that one of her cousins had run for the mayoralty of the metropolis of the United States, and had failed to get it, and that another cousin had made a name for himself in Albany. When at last the curtain fell upon Mrs. Curtin's life, it was found that by quick sales and small profits she had accumulated five thousand dollars, and thirty-five third cousins stepped forward to claim the money. Their hopes were speedily shattered, however, by the appearance of an equal number of second cousins, who in turn were disappointed by the appearance of a single first cousin, to whom, as it was reported in this journal yesterday, the money will descend.

This little story, which has already been widely circulated, will add a new interest to the lives of applewomen in the minds of apple eaters, and will, we hope, cause the cousins of the remaining female fruit venders in this city to declare their existence immediately.

[*Sunday Democrat—July*, 1876.]

THE LATE A. T. STEWART.

WORTHY TRIBUTE TO A GREAT IRISHMAN.

In transferring the business of her deceased husband, Mr. A. T. Stewart, to Judge Hilton, that lady was merely carrying out the wishes of her husband. This transfer continues the grand object of giving employment to nearly 10,000 persons. We have every confidence that merit and energy will meet with the same encouragement from Judge Hilton that they did from Mr. Stewart. We take pleasure in fully endorsing the sentiments of the *Sun* and *Herald*.

[From the Sun.]

The payment to about 300 of the late A. T. Stewart's employés who had served him for more than ten years, of an aggregate sum of $205,750, is one of the best benefactions directed by the giver. There is no truer generosity than that which recognizes and rewards long and faithful service. The circumstance that so large a force of employés had been so long with

Mr. Stewart, indicates that there must have been something attractive in his service. At least the people who worked for him were sure of their pay, and could rest in the confidence that their employer would not burst up when bad times came.

[From the Herald.]

An English opinion of the late Mr. Stewart's career as a business man is that it exhibited in him the possession of ordinary qualities in an extraordinary degree. His bequests to his employés exhibit, says the journal in question, the same business-like care and discrimination that led to his amassing so considerable a fortune. These have now been awarded, and the transaction may well be described as extraordinary when it is found that the number of employés who have served the firm for ten years and upwards reaches three hundred. That this is something a little short of 4½ per cent. of the whole number of the late Mr. Stewart's employés, said to be seven thousand all told, gives some idea of the extent of the great dry-goods merchant's business. The settlement required a sum of three hundred thousand dollars, and it is pleasant to notice that in many cases the records of service were stretched by Mr. Hilton a little to bring the deserving within the range of this handsome testimony to long and faithful services. In view of the fact that few businesses in America have enjoyed a greater reputation for stability for the past twenty years than Mr. Stewart's, it is significant of the restlessness and ambition of our people that such a small percentage, comparatively speaking, should have clung to the great house during the prescribed time.

[*New York Daily Tribune—July* 12, 1876.]

The decision of Surrogate Calvin sustaining the probate of the will of the late Alexander T. Stewart has long been anticipated and will be very generally approved, for fair-minded people are generally well convinced that a man who, through long industry or skill, accumulates a fortune has an undisputed right to bestow it upon his wife and others who have helped him to make it, without consideration of the claims of unrecognized forty-second

cousins suddenly discovered by speculative lawyers. The passage in the decision which sharply condemns the practice of claimants who dispute wills on frivolous pretexts in the hope of securing allowances from the court will be most commended, and would have had still more emphatic endorsement if it had more direct application to the lawyers who make a practice of stirring up such strife and scandal. No allowance to the contestants is made in this case, and the encouragement to continue the hopeless struggle is not great.

[*The World—New York, July* 12, 1876.]

Surrogate Calvin's decision, throwing the case of the Stewart will contestants out of his Court, will not disappoint public expectation; on the contrary, it is likely to be regarded as not less based on equity than on the strictly legal points therein cited. It may be further remarked that the decision in this noted case will operate as a restraint upon the projected action of other dissatisfied relatives, real or assumed, of a testator who, in the exercise of his undoubted privilege, does not include their names among those mentioned in his will. However, we suppose that the present contestants will take the chance of a more favorable decision in a higher court.

[*New York Daily Witness—July* 12, 1876.]

A. T. STEWART'S WILL.

The attempt to upset the will of the late A. T. Stewart by persons whose relationship he never knew of, or at least never acknowledged, and to whom he certainly did not intend to give or bequeath a penny, has such a blackmailing aspect that we are sure all will rejoice at its defeat so far. The allowance of expenses on both sides out of a disputed succession is a great temptation to engage in suits, like that of the Claimant in England, a scoundrel of the blackest die, who wasted with law expenses the estate that he claimed.

Commercial Advertiser—July 12, 1876.

THE STEWART WILL CASE.

It would be difficult to imagine any other decision than that rendered in the Stewart will case yesterday by Surrogate Calvin. It is not creditable to our laws that such cases as this exist. Mr. Stewart accumulated his entire fortune by the force of his own effort. He began with little or nothing, and gradually brought together some millions of dollars, which he bequeathed according to his own sense of right. The money was left so as to benefit a vast number of deserving people; there was nothing in its disposition that tended to injure the State even remotely. Mr. Stewart was in the possession of all his faculties when the instrument was drawn up, and why, therefore, any one should have presumed to attempt divert the money from the way he laid out it should go was the boldest effrontery. With the same propriety, these same people could have demanded a share of the property when Mr. Stewart was living. The intent of the law is broad and liberal. In many instances it prevents an unjust disposition of property, but in a case such as this there is not the shadow of a right to interfere. Mrs. Stewart, in defending the will, has been put to unnecessary expense and some annoyance. There is no reparation for this unless she can find it in the knowledge that the claimants spent their substance in a wild goose chase.

[*Graphic—July* 12, 1876.]

Surrogate Calvin has disappointed the Claimants in the Stewart will case. He fails to see that they have any legal ground to stand upon in his court. The will was regular, and every step that has been taken by the executor and executrix has been in accordance with law and supported by precedent. But he plainly intimates to them that if they are not satisfied with his ruling they can seek relief in another court, to which they will doubtless apply, to the great delight and profit of the lawyers if not to their own. This case affords another illustration of the inadequacy of

our laws, many of which seem to have been made for the benefit of lawyers instead of the protection of the people and the advancement of justice.

[*Post—July* 12, 1876]

THE STEWART WILL CONTEST.

The contestants of the late A. T. Stewart's will have failed in their effort to secure the setting aside of the probate already made of that instrument—a result which was generally expected; but the end of the litigation is probably not yet. An effort will doubtless be made in the higher courts to accomplish the same end, but whether this effort will be more successful than the first one is extremely doubtful. If the contestants succeed, however, in this, they will only have put the matter back to the point at which it was begun, and their case against the validity of the instrument will still have to be made.

[*Mail—July* 12, 1876,]

THE STEWART WILL.

The adventurous raid upon the estate of the late A. T. Stewart has come to well-merited grief, just as every reasonable person expected. There will be a general verdict of popular approval of Surrogate Calvin's decision dismissing the litigious proceedings and sustaining the will in all its parts. To have opened the probate, under the circumstances, would have been, as Judge Calvin says, an unwise and unjust exercise of the judicial discretion of the court. And all the more so since no benefit would be likely to accrue to the horde of hungry claimants, while, on the other hand, great damage would be done to the estate and the benevolent enterprises now in progress under the supervision of Mrs. Stewart and Judge Hilton. The Surrogate delivers a long and elaborate opinion upon the case, in the course of which he

demolishes the cobwebs spun by the claimants and their lawyers, and turns them out of court minus all share in the property, and without any allowance for the costs of their raid. There is something very sensible in this extract from the Surrogate's decision: "The interference with the deliberate and intelligent disposition of estates should not be encouraged, and particularly should the practice of encouraging experiments to overthrow last wills and testaments by allowing contestants to receive from the estates compensation for their unwarranted assault upon them be discouraged, and contestants in case of failure should be held to a rigid rule of good faith before they receive an allowance from the estate"

Upon the whole question at issue Judge Calvin has carefully reflected, and his decision will be acquiesced in by all persons outside of the little knot of fortune hunters whose claims he has dismissed to contempt.

[*Tribune—July* 13, 1876.]

LAST WILLS AND TESTAMENTS.

A will which does not express the will of the testator is no will at all. However different may be the views entertained of the disposition of his property by the late Mr. Stewart, no sensible person will question his right to dispose according to his own pleasure of that fortune which was the magnificent fruit of his own judicious and untiring labor. But putting aside the particular consideration of the Stewart case, we wish to call attention to the concluding remarks of Surrogate Calvin, who "deplored the "growing irreverent disregard by heirs-at-law and next of kin of "the last wills and testaments of those who by honest industry "and prudence may have acquired a moderate competence or an "abundance." The evils of this tendency, as the Surrogate justly remarks, "are more felt and deprecated by those of mode-"rate means than by the wealthy." To such an extent have these contests been multiplied that men now make their testamentary dispositions with feelings of anxiety and doubt which much diminish the satisfaction which they might receive from the per-

formance of an imperative duty. For it can give no pleasure, it can give only pain to any one to know that he is merely bequeathing a law-suit to those whom he is anxious to make the recipients of his bounty.

If the law is charged with the distribution of the estate of an intestate, it proceeds according to certain rules to scatter it among his heirs. These are of two classes. First, there may be the widow, who is entitled to sufficient provision, and the children, to whom belongs as of right the remainder; or there may be the next of kin, who really have no claim except a purely artificial one; and these in default of issue take the estate, not because they have any indefeasible right to it, but because there is nobody else to take it. If Mr. Stewart had died intestate, these clamorous persons who are disputing his will might have inherited some of his wealth; but inasmuch as he saw fit to make a will, and did not see fit to remember these contestants, even if he knew anything about them, what reason is there, for the purposes of the distribution, why he should not be regarded as still living and as disposing of his property by deed or by delivery? It seems to us that the question for tribunals of probate to ask is, What would the testator do if he were present and of sound and disposing mind and memory? The presumption then is that he would do by deed or parole what he has done by testament. That instrument is the best possible evidence of his wishes. To disregard them without ample evidence of his incapacity of mind or memory is to insult him in his grave. To encourage attempts to set aside wills is to encourage litigation of a specially undesirable character.

One of the worst results of this unreasonable litigation will be to deter men from making devises for public uses. One of the best will be to encourage them to become their own executors in their own lifetime, as several wealthy men have recently done. Anything which discourages charity and benevolence should be looked upon with disfavor by the courts upon grounds of public policy. Devises of a benevolent nature are among the best resources of society, and when they are made, they should be sedulously protected. For instance, Mr. Edward Boyle, a well-known citizen of New York, by a codicil to his will provided

that, in the event of his wife's death, his entire estate should revert to the House of the Good Shepherd. Accompanying this, and in the same paragraph, is the following: "It is my will that "if my said wife and myself shall perish by the same calamity "or accident, the devise to the said wife shall be void, and the "above devise to the House of the Good Shepherd shall be valid "and effectual." Mrs. Boyle died on the 12th of April, and the testator on the 13th. A kinsman now claims, as both Mr. and Mrs. Boyle died a natural death, that the devise to the charity is void, and the estate goes to the heir-at-law. Here, it seems to us, there can be no doubt of the intention of the testator. A stronger point is that the House of the Good Shepherd has already exceeded the statutory restrictions upon the accumulated property of such institutions. There is also a claim of undue influence over the mind of the testator. So the House of the Good Shepherd, to which Mr. Boyle intended to give an estate, has really received a lawsuit, with some chance of getting nothing. How often are we reminded of the poor man in Dickens's novel, who was utterly ruined and finally locked up in the King's Bench for life, simply because he had inherited an estate!

[*Extract from the Boston Journal of July*, 1876.]

SURROGATE CALVIN.

The Court of the Surrogate is getting to be one of the most important tribunals of the city. No judge has such an amount of labor thrown upon him. Cases involving millions are in his hands, and each case is independent of the other. Very little was known of Mr. Calvin till he became Surrogate. Important and complicated will cases have been in his hands. He has met each of these cases promptly and ably. His opinions have shown an amount of learning and industry marvellous at any time. The promptness with which he decided the attack on Stewart's will, and the ability of the argument, has attracted general attention. He is winning the confidence of the public and the approval of the bar.

[*Belfast News-Letter—July* 15, 1876.]

A. T. STEWART AND W. B. ASTOR.

WRITTEN FOR THE BELFAST NEWS-LETTER.

Within a few months of each other there have passed away to the unknown land two of the wealthiest men of New York, and many are the marvels that abound in every chapter of the histories of W. B. Astor and A. T. Stewart.

* * * * * * * * * * * *

No two men could be more unlike each other in their peculiar features of character than Astor the younger and A. T. Stewart; and when a fitting biographer be found, one capable of giving to the world a well-written life of the great merchant of Broadway, there will appear in its pages as many "situations," dramatic and exciting, as any that ever delighted a theatrical audience. Even around the earliest days of A. T. Stewart the very spirit of romance appeared to have thrown her broadest mantle.

About the close of the last century, John Torney, a descendant of one of the Huguenot exiles, who had settled in the town and neighborhood of Lisburn 100 years before, resided on a farm near the Maze, about three miles from Lisburn, and where his forefathers had lived for some generations. Mr. Torney manufactured coarse linen, as well as attended to his farm, and was well known as a steady and industrious man of business. His family then consisted of a daughter, an only child. His first wife had died many years before; but when his daughter, Margaret Torney, had almost grown up to womanhood he became the victim of a captivating widow, who had also a daughter, and married her, or rather the widow married him, her great object in the little affair having been to secure a home for herself and child. The event caused much annoyance to Miss Torney. The stepmother soon began to exhibit ill-temper and selfishness, and before she had been three months mistress of the household proved to both husband and his child that she had a will of her own. Margaret Torney was then eighteen years of age, very handsome in person, and as the heiress of a man reputed to be wealthy, had many suitors, one of which had become quite a favorite of the old gentleman. But, with the usual waywardness of the sex, the belle of the Maze consulted her own feelings on the subject, and

married Alexander Stewart, a young farmer, who held some land at Red Hill, not far from her father's residence. The event created much gossip in the neighborhood, and for a short time the old gentleman was wroth; but as the husband of his daughter bore the character of a well-conducted, energetic man, the feeling of annoyance soon wore away, and in the meantime the juvenile housekeeper had settled happily on the little farm, which, like that of John Torney's, was held under Lord Hertford. In a few months the sturdy linen draper became very proud of his son-in-law, and enjoyed his visits to Red Hill with all the feeling of a fond father. But the dream of future happiness on the part of the young people was not of long duration. In his anxiety to get finished some out-door work, the farmer over-heated himself, and eventually fell into consumption, which carried him off in some few months. Not many weeks had elapsed after the death of Alex. Stewart when the young wife, still in her teens, was confined of a son; and in that cottage, which still stands on the farm of Mr. James N. Richardson, of Lissue, the future merchant-prince of Broadway first saw the light, and in due time received the baptismal name of Alexander Torney, in honor of his father and grandfather. Mr. Torney paid daily visits to his daughter, and as soon as she was able to be removed, Mrs. Stewart was taken back, with her infant, to the old gentleman's residence. The stock and farm were disposed of to good advantage, and the proceeds set apart for the widow and her son. During the succeeding twelve months the time spent by Mrs. Stewart was the reverse of pleasant. Her father was exceedingly kind to her, but as his business often took him from home, she had to bear with much of the disagreeable on the part of her stepmother, whose temper did not improve with age. In 1803 Mrs. Stewart got married to David Bell, and with her new husband set off for America. She was anxious to take the young son with her, but Mr. Torney would not part with the child.

He had himself received a good education, and even before the lad had first gone to school he determined that his grandson should be brought up for the Church. In his seventh year the lad was sent to a village school—and there are old people in that neighborhood who well recollect having seen the thoughtful-

looking boy passing along the road that led from his grandfather's house to the wayside seminary, conning his lessons in Manson's spelling-book. About the commencement of 1814 young Stewart entered Mr. Neely's English Academy, in Lisburn. John Torney died April, 1816, and by his will part of the property was left to his grandchildren James and Minnie Bell; the dwelling house and a certain amount was left to his wife; but the great proportion of all he possessed was bequeathed to his "beloved grandson, Alex. T. Stewart." Immediately after the old gentleman's death, Mr. Thomas Lamb, of Pear Tree Hill, had the young student removed to his own house, and during his residence there the lad continued to prosecute his educational studies with increased energy. Having attained considerable proficiency in English and a pretty correct knowledge of mathematics, he joined the classical institution of the Rev. Sheffington Thompson, of Magheragal. Dr. B. Workman, of Toronto, himself a native of the same part of Ulster, and who had been a school and form fellow of young Stewart, gave in a recent sketch, published in one of the Canadian papers, the following reminiscences of the great merchant of Broadway :—"We sat as classmates at the same desk in the Rev. Mr. Thompson's classical academy, and read Justin, Cæsar's 'Commentaries' and Ovid's 'Metamorphosis.' We had also made some progress in Greek, when my young friend suddenly determined to go to America and see his mother, with whom, from the day he found himself able to write a letter, he had kept up regular correspondence." In the spring of 1818 the student set off on his voyage to New York by a ship advertised to sail from Belfast, and in six weeks landed in that city. He soon found Mrs. Bell's residence; her son James had gone to sea, and she seemed to dread he would never return. Mr. Stewart remained a short time with his mother; but becoming tired of idleness, sought and found employment as a teacher, in which capacity he continued for several years. Thomas Lamb had realized most of the property left by John Torney before his ward became of age, and when that time arrived the heir returned from America, and received from his guardian the proceeds, amounting in all to several hundred pounds. That legacy and the many cheerful associations con-

nected with it was never forgotten by A. T. Stewart. Writing to a friend in Lisburn, who had complimented him on the munificence he had displayed toward the cotton operatives in 1863, Mr. Stewart said:—"It is a fact that neither time nor space can efface from the memory the recollections of the place that gave us birth. No matter what period might intervene, the heart, ever true to its own instincts, turns with faithful affection to the home of childhood. It was this feeling that caused me to put forth my hand during the sufferings of the people residing about my early home, and to aid them at that trying time. And if no higher motive actuated me on that occasion, I recollected that I owed something to my countrymen for the patrimony which many years before I had received and taken with me to the land of promise and liberty, in which I have ever since lived and prospered." We have stated that Mr. Stewart had received from his guardian the full amount of money arising from the proceeds of property left him by his grandfather; but on getting the cash into his hands he found great difficulty in arriving at any definite conclusion as to how it should be invested. The bustle and prosperity he had seen in the every-day commerce of New York had stirred in his mind a desire for business. He consulted a friend on the subject, and in doing so frankly acknowledged his ignorance of mercantile affairs. That friend told him that, with his educational attainments and aptitude for learning, he would soon master the details of trade. Thus encouraged, he made his first purchase off a Belfast manufacturer, and with that parcel of fancy goods—tambours, insertions, and sewed muslin—he once again sailed for the city on the Hudson, and landed there in July, 1823. Almost immediately after his arrival there he took a small store, still known in New York as 283 Broadway, then a mere wooden structure of about twenty feet square. The rent of the store was $375 a year, and in that tiny spot, with his Belfast purchase and a job lot of laces, silk gloves, and general hosiery, the man, who in after years became the financial counsellor of Presidents and the wonder of Wall Street, commenced his marvellous career. From the first day of its opening, the trade succeeded beyond all anticipations.

The young merchant personally attended to all the details of his progressing business, and with the keenest attention marked the peculiar tastes of the public. His stock of goods was choice, rather than extensive; only one price was asked; the profits were comparatively moderate, and before the end of his first season's trade he saw that a new vein had been struck in the mine of retail trading, and he determined to work it out. A rapid turn-over enabled the young merchant to purchase goods for cash. He attended the auctions, and picked up fancy lots at figures, which were retailed at rates which left broad margins to the storekeepers. In 1827, he removed his business to a larger store, and success increasing with the fame his system had acquired, he still found great want of space, and four years afterwards he became the proprietor of the famous building, No. 257 Broadway. Here it was that the indomitable energy of A. T. Stewart found a wider field of action. His stock of dry goods abounded in attraction, and was of all varieties, suited alike to the tastes of the upper ten and to the means of purchase of the humbler class of buyers. The marked price system, from which there was no deviation, had proved a great success, and drew crowds of customers to the store. Four years previous to the period under notice Mr. Stewart married Miss Clinch, daughter of a wealthy ship-chandler. This lady still survives her husband. Two children were born some years afterwards, but both died in infancy. Wealth, however, poured in on the head of the house with magical rapidity, and in 1837, when the financial storm swept over the whole Continent of America, and left its mark on Europe, A. T. Stewart was said to have realized about $2,000,000. * * * * * * * * * * * * Dry goods had receded in value nearly one half, and even at such reduction sales were slow. Determined, however, to grapple with the situation, A. T. Stewart had a great part of his stock marked at still lower figures, and calling by stirring advertisements full attention to the great sacrifice his house was making, immense numbers were added to the ordinary customers, and in a few months all that portion of goods was cleared off. Great was the loss in that instance, but with his large floating capital he replaced the stock, buying, in fact, on his own terms; and, as the better days came round, the later pur-

chases went off at profits exceeding the highest he had ever realized. In the course of the succeeding ten years, the trade had made such immense strides that the premises, with all the additions made to them, became quite unequal to the requirements. Mr. Stewart had taken two of his most active assistants into partnership, and it had been found an imperative necessity to erect new warehouses. Washington Hall, a famous hotel and commercial club, was then in the market. The site cost Mr. Stewart sixty thousand dollars, and there was erected the Marble Palace, which became one of the sights of New York. Three hundred thousand dollars were expended in its building, and in 1848, the retail business of A. T. Stewart & Co. was removed to the new concern.

It is a peculiar feature in the character of some of the greatest men that superstitious beliefs forms one of their most powerful motives of action. Sir Walter Scott had the greatest faith in the workings of supernatural agencies. Byron was still more influenced by similar feelings, and A. T. Stewart revelled in the belief of the unseen but powerful influences. In the early days of his commercial career an old Irishwoman kept an apple stall on the footway near the entrance to his store. He had often chatted with her, and was delighted in listening to the ring of the brogue, bringing back as it did many recollections of the ancient land at home. When he removed to the great store his ideas of continued prosperity were so much connected with the old Celt and her fruit stall that he induced her to bring over her little stock to a site near the Marble Palace, and establish herself there. The opening of the new concern formed quite an era in the commercial life of its proprietor, and in that extended sphere of action he set to work with all the energy of a juvenile trader. By this time he had his buyers in all the chief seats of manufacturing industry in Europe, and his immense financial resources enabled him to purchase on the best terms the highest qualities of goods. His high class education proved very valuable to him, and the sound lessons of mercantile probity he had learned in early life from the good old linen-draper, Thomas Torney, as well as the love of truth which Thomas Lamb, his guardian, had instilled into his young mind, admirably fitted him for the inauguration of a mode

of transacting retail trade which startled the older men of New York, and gave rise to many prophecies respecting the ultimate failure of "Stewart's mode of doing business." The succeeding twelve years saw the tide of prosperity flowing on with the impetus of swelling tributaries, and at the end of that period Mr. Stewart set about the erection of what was called the Tenth Street store, and which when it was finished proved to be the largest trading concern in the world. To this place of business the retail department was removed in 1862, when the Down Street House, or Marble Palace, was remodelled so as to convert it into a wholesale concern. About the time of the commencement of the war between the Southern and Northern States of America Mr. Stewart purchased immense quantities of military stores, and when demand for such goods rose with the regiments, sales were made at very large profits, and still it was afterwards proved that the purchases made by Government at A. T Stewart's were on much better terms than any that had been bought from other holders.

The new store occupied a site the area of which is about two acres in extent, and the building is eight stories high. One thousand young ladies were employed there during the busy season, some cutting out, and others making up dresses and under-garments, and a third of the whole is engaged attending to the sales. These employés are in the receipt of various degrees of salary; skilled hands from nine dollars, while ordinary hands have about five dollars a week. Five hundred men are at work in the various floors of the concern, and customers are carried from flat to flat on handsomely fitted up elevators worked by steam power, and which are moved up and down like things of life. Visitors to New York rarely forget taking a run through Stewart's store, and as no one is importuned to purchase, the sight of the wonderful concentration of order and busy commerce has long been considered as one of the city lions. Some years ago an Indian chief was taken, accompanied by an interpreter, to see the wonders of the Broadway store. The prairie king was introduced into the departments in which the magnificent dresses and shawls for the upper ten were displayed in ample profusion. But, strange to say, he looked with stoical indifference on all the dazzling rich-

ness of those triumphs of the loom and the needle. At length his chaperon led him to the engine-room, and for the first time during his visit the red man's spirit seemed aroused to extreme excitement. He watched the five-hundred horse-power engine which raised, without the least apparent effort, vast piles of merchandise from one flat of the building to another, and kept in motion four hundred sewing machines. At length, in the very ecstasy of savage life, he cried out, "Wonderful! works herself and does not kill any one."

During the war between the Northern and Southern States of America, A. T. Stewart stood firmly by the principle of negro emancipation. In his boyish days he had been so well taught in the righteousness of freedom, and to look with such abhorrence on slavery, no matter in what form, that forty years' residence in the United States only seemed to give them greater force. In April, 1861, some of his Southern customers threatened to repudiate their debt to him as he stood on the regal platform, but he would not be dragooned into what he called the rebel ranks; and, in his reply to a communication on the subject, said—"All that I have of wealth and position I owe to the United States and its free institutions, under which protection to life, liberty and estate has been fully enjoyed by the citizens. I dedicate every dollar I possess, even my life if needs be, to the service of my adopted country, and to that country I am bound by the strongest ties of affection and duty."

Of the immense gains which far-seeing citizens realized by their speculations in military stores just previous to the commencement of the war and during its continuance, no proximate idea has yet been given. About the close of 1860, and when Mr. Stewart was said to be worth twenty millions of dollars, he had the sagacity to see that an outbreak was not far distant, and with his immense floating capital, he at once went into the different markets and bought up munitions of war on such a scale of magnitude that for some time before the first ring of the rifle told that hostilities had commenced, he was all but master of the situation. Bedding, blankets, soldiers' clothing, military boots and flannel shirts, he had stored by in large quantities; in fact, he had become pos-

sessed of the great proportion of the stocks held in New York, Boston and Philadelphia, and when the Government officials came to him as purchasers he was able to command his own terms. Still, it has frequently been admitted by the Washington authorities that of all those merchants with whom they negotiated for stores none were so liberal as A. T. Stewart. The ratio of taxation during that time of terrible pressure was very high; and, in 1867, when great efforts were made by the Minister of Finance to reduce national debtedness, the sums levied off the people were enormous. For municipal purposes alone the tax laid on New York was twenty-two million dollars. That amount was paid by one hundred and fifty thousand property owners, whose aggregate estates were valued at six hundred million dollars, the rate being two dollars sixty-seven cents on each hundred dollar valuation. W. B. Astor paid that year four hundred thousand dollars; A. T. Stewart paid four hundred and twenty thousand dollars, and C. Vanderbilt paid two hundred thousand dollars. Various estimates have been given of the annual turn-over of cash in the wholesale and retail concerns of the late merchant of Broadway; but if taken at figures from thirty-five to forty-five million dollars, the estimate will not be far off the mark.

Of all the popular errors that live around us there is none greater than that which supposes the keen and energetic business man to be a mere zealous pursuer of wealth, caring nothing for the outside world beyond the power it gives him of making money. There may be found in the republic of trade a number of men so absorbed in their pursuits that they think of little else; but on the other hand, how many thousands are there that plod on day after day in the regular routine of commerce, working much longer hours than the mill operatives were wont to do in times before the factory laws had any existence; yet these same men when called upon to contribute of their means to any public charity are quite as ready to open their purse-strings as they have ever been to add to their contents. Some of A. T. Stewart's biographers have written of him as if he had been a man whose only enjoyment was the accumulation of riches. Nothing could be farther from broad fact than such statements. It is true that, to casual observers, he may have seemed cold and frigid, and that

in the management of his great business he exacted scrupulous attention to details on the part of his army of assistants; but in connection with that stern love of discipline and a determination to have the line of conduct he marked out strictly adhered to, he had a heart brimful of benevolence, and a disposition which ever prompted him to distribute with no sparing hand a portion of his wealth in doing good to his less fortunate brethren.

It will be recollected that, in 1862, the American war caused great depression in the trade of the United Kingdom. All forms of industry connected with manufactures suffered considerably, but none was so fairly prostrated as the cotton trade. The Southern States had been so much engaged in campaigning that the cotton plantations were partially forgotten, and production fell away so much that the value of that material rose enormously. Millowners in Lancashire could not procure full supplies for their spindles at any price. Many concerns had to be closed up in consequence of the dearth and scarcity of cotton, and tens of thousands of operatives were thrown idle. In the midst of that calamity the generous sympathy of the kind-hearted and generous people of all nations were in proportion to the demand on it, and princely donations poured into the treasury created for the aid of the sufferers. In the midst of the terrible desolation of want and disease the men, whom thoughtless writers ridiculed as "cotton lords," had themselves to bear no light burdens. Their mills, with all the expensive machinery, were either solely or partially idle; the people who lived in the cottages which surrounded their concerns could not pay any rent, and their spindles and looms were left to rust, while sales of yarns and cloth could only be effected at immense discount from first cost. And yet, with all these difficulties to contend against, many of these "cotton lords" exhibited generosity that was in itself marvellous, and which it would have been well for some of their detractors to emulate.

In those districts of Ulster which were more especially populated by hand-loom weavers, tambourers, and embroiderers, the cotton famine had produced suffering far more intense than that felt in Lancashire. Vast numbers of people could not procure work, and as they had little of savings to fall back upon, the state of these people in the town of Lisburn, and for some miles of

rural sections of the country around, was lamentable in the extreme. At the close of 1862 hundreds of the families that depended for their support on the cotton manufacture were reduced to a state bordering on starvation; it seemed as if the darkest days of that visitation that fell on the people of the West of Ireland in 1847 had gloomed on certain parts of the North, and the suffering was all the more severe because of having been borne in silence until nature could endure no longer. Public attention having been called to this state of affairs by the Relief Committee formed in Lisburn, immediate steps were taken in aid of the poor people. Letters were sent to various parts of the kingdom setting forth the destitution which prevailed, and communications were also opened with leading American merchants, most of whom originally hailed from the North of Ireland. Among others to whom letters were addressed, A. T. Stewart was not forgotten. At that time the citizens of the Northern States of America were battling against all the difficulty consequent on the international war; but the sad state of affairs at their own doors did not prevent them sending over the Atlantic substantial aid towards the relief of their suffering countrymen in Ulster. New York, Philadelphia, and other cities gave large subscriptions. Mr. Stewart had never forgotten his early home; and when he learned that the cotton operatives of Lisburn and the Maze required immediate assistance, he made arrangements to send over an entire shipload of breadstuffs and provisions, and chartered the good ship "Mary Edson" to convey from New York to Belfast the cargo he had purchased. Early in June, 1863, the vessel arrived at her destination, and during her stay at the port of Belfast this ship, her captain and crew, formed objects of the greatest interest. Crowds of people were to be seen at the quay where the "Mary Edson" was moored, gazing with delighted eyes on the messenger of mercy. The cargo was landed in excellent condition, and thousands were the hearts made glad by the distribution of the munificent gift of A. T. Stewart. When the vessel had been cleared of the breadstuffs and provisions, arrangements were made to fit up berths for the temporary use of such of the younger people connected with the cotton trade as might wish to emigrate westward and try their fortunes in the

New World beyond the Atlantic. Under the superintendence of Mr. Henry Murray, the Belfast agent of the New York house, ship carpenters were set to work, and in a short time ample accommodation was provided for the number of people likely to avail themselves of the offer of a free passage over the sea. Mr. Murray had purchased abundance of stores for the comfortable boarding of the emigrants, and, where required, additional clothing was given to such of them as were found in need of such assistance. All the expense attendant on these arrangements was defrayed by Mr. Stewart. One hundred and forty passengers went out in the "Mary Edson." The voyage was a prosperous one, and on the arrival of the ship at her destination lodgings and board were procured for the people, and until situations were obtained for them they were supported at Mr. Stewart's expense. In a short time all the adults had got into employment, and no long period had elapsed from the date of their landing, when, having saved a little money, they commenced to remit small sums to their suffering relatives at home. Thus it was that the good work which had been accomplished by the Broadway merchant not only placed the immigrants in comparative comfort, but put them in the way of assisting those they had left behind in the old land at home. During the war with the Southern States Mr. Stewart contributed one hundred thousand dollars to the New York Sanitary Committee, and he sent three thousand eight hundred barrels of flour to Paris when Prussia was riding rough-shod over the fallen glories of France. To Chicago he contributed fifty thousand dollars in aid of the sufferers by the fire. After all, these are only a portion of the noble deeds of benevolence accomplished by A. T. Stewart, and not until the great day, when the records of this world shall be revealed, will it be known how much good he did, of which no mortal being, save those who were benefited, ever knew.

His was indeed a life of business; he brought the very art of commerce to perfection; but amid all the cares connected with the government of his mercantile republic he always found leisure to carry out plans for increasing the comfort and adding to the happiness of others. In 1872 he commenced to erect the splendid, but still unfinished building in Fourth Avenue, New York,

and which he had designed as a working women's home for the females connected with that city. Many years before Mr. Stewart had observed that well-conducted and respectably brought up girls, whose relations did not live within easy distance of the dry goods stores in which they were engaged, had much difficulty in getting suitable lodgings where their food would be provided at reasonable rates. Determined to provide with a pleasant home that interesting but neglected section of industrials, Mr. Stewart had the aid of a famous architect, and under this gentleman's superintendence the building was commenced, and when finished it will prove to be not only one of the handsomest but the most comfortable erection in the city. The Home is 200 feet square and six stories in height. An interior court of about half those dimensions will be fitted up with ornamental fountains and otherwise made highly attractive, and as the purest air pervades the whole, this court has been designed as a sort of playground. According to the original plan, the rooms will be heated by steam in cold weather, and the food will be cooked on the same principle. Every apartment is well lighted, the ceilings are twelve feet high, and the sleeping-rooms are admirably ventilated. A dining-room, ninety feet long and thirty feet wide, forms a general *table de hôte*, where the young women can have their meals at the lowest cost. Arrangements for amusement and instruction have not been forgotten. There is a handsome concert-room on the second floor and a library, which Mr. Stewart intended should be well furnished with books, papers and periodicals. It was the great object of the benevolent founder that he should provide for the working girls a home which would possess the comfort and convenience of a hotel as well as the protection of a private household. "This," he said, "would be the more efficient because of its not being wholly gratuitous." A small sum was to be paid by each boarder so as to give some sort of independence to those availing themselves of its advantages. This institute, it is said, will now be finished by the widow of Mr. Stewart. No less valuable, and on a still wider scale, have been the improvements which A. T. Stewart made some years ago at Hempstead, Long Island, New York. He had long before purchased a large lot of land there, and when about seven thou-

sand additional acres were thrown on the market he bought the whole at fifty-five dollars the acre. Some erroneous statements having been made respecting his object in making the purchase, Mr. Stewart wrote to the local papers to say that his sole desire was to make it the site of handsome places of residence. "I propose," said he, "to erect at various points attractive buildings and healthy houses, so that what is now a barren waste may become a place of beauty, located by a respectable population, desirable as neighbors. On this project I am prepared to expend several millions of dollars." This statement was made in July, 1869, and since then the wilderness has been transformed as if by magic into what has well been called "the Garden City." On a piece of land which ten years ago would not have supported two dozen sheep, a splendid hotel and eighty handsome dwellings have been raised. Some of these houses are quite classic in their architectural adornments. The site of the Garden City is eighty feet above the sea level, and searchers of health from New York have been delighted with the purity of the atmosphere. As a mere speculation the outlay on the great plain at Hempstead has been highly successful; but still more important is this fact, that the salubrity of the place has aided materially in restoring to health many a worn-out citizen and not a few grief-laden invalids.

In Fifth Avenue, which may be called the Park Lane of New York, Mr. Stewart's private residence, built of white marble, forms a special attraction to strangers. It is estimated to have cost $10,000,000, and in its interior decorations no expense was spared. Many of the paintings which adorn the fine arts gallery are of the most valuable class to be found in the United States. One of these, representing the Falls of Niagara, is said to be unequalled. During his visits to the Continent of Europe Mr. Stewart made the acquaintance of several of the greatest of living artists, and among these was Mons. Meissonier, and a few months before his death he purchased from this artist his celebrated picture "1807," and for which he paid three hundred thousand francs.

In this plodding world of ours an opinion is frequently heard to the effect that superior education unfits the student for the every-day work connected with general commerce; but in the case

of A. T. Stewart it will have been seen that the scholastic training of the boy led to the possession of great administrative powers in the man, while his classical attainments gave him a love of the beautiful, which in after-life added immensely to his means of self-enjoyment.

The personal appearance of the Broadway capitalist was about the most unassuming that could well be conceived. He dressed plainly, and was rather fastidious about the fit of his garments, but never indulged in any display of jewelry, the petite gold watch, which was worn in the vest pocket, being the only appendage he seemed to care for. About two years before Mr. Stewart's death a lady called at the store to inquire about a lad from the North of Ireland, and meeting, as she thought, one of the clerks, asked would he be good enough to show her the department in which the young man was engaged. The person whom she addressed was most attentive, and requested the lady to take a seat in one of the waiting-rooms, while he went in quest of her friend. In a few minutes he returned with the young man, and, bowing to the lady, left to attend to his business elsewhere. After some chat with the lad, she expressed a wish to see the great merchant of whose wealth she had heard so much. "Why," replied her young friend, "Mr. Stewart himself was the gentleman to whom you applied for information about me when you came into the store, and who has just left us."

We have already alluded to the easy and refined style of Mr. Stewart's address in social life. He enjoyed genuine humor with all the zest which forms the natural spirit of his countrymen, and, while rarely disposed to take a lead in political topics, he always entered heartily into the current gossip of the day. In the whole history of mercantile life there is nothing to be found at all approaching the success which followed the enterprise of this marvellous merchant. Other men there have been whose property was as valuable as that which he left behind him, but those millionaires had inherited from their fathers a great part of their wealth. A. T. Stewart was the sole architect of his own fortune, and by a course of prudence, integrity and earnestness, he succeeded in raising to the very pinnacle of perfection the most extensive concerns ever known in the entire annals of commerce.

A. T. Stewart was, indeed, the Napoleon of merchants. In the difficult position of controlling and directing a whole army of managers, clerks, milliners, and salespeople, he displayed power which in another department of life would have raised him to the highest military rank; and in the readiness with which he was able to master details relative to the state of foreign markets, the existing and prospective value of dry goods, and other questions connected with his vast business, he seemed quite a marvel of mercantile philosophy. And yet, amid all the hurry of every-day exertions, he found time to keep himself well up in literary subjects, and to cultivate his taste for the fine arts. In private life, and when he had left off the harness of commerce, A. T. Stewart was a perfect gentleman, easy in manner, and polished in conversation; but, except in a few instances, he was not popular with his brother merchants. For many years before his death the most erroneous statements were occasionally made through the press concerning his business and general habits, and since his death equally absurd gossip has been published on the same subject. Many and rather hostile were the criticisms of periodical writers, who discussed the merits and demerits of "Macaulay's History of England" when the first two volumes of the work appeared. It was said that the brilliant reviewer had himself perverted facts, and given such erroneous versions of incidents connected with former ages as to destroy all faith in him as a correct annalist; the famous historian was bound to chronicle, as he best could, events that occurred some centuries before the age in which he lived, and, of course, had to depend on the writers that preceded him for much of his material; but in the case of A. T. Stewart, the man who lived in our own day, we have heard statements made as to his early and later history as wildly absurd and as far from fact as anything to be found in realms of pure fiction. Among the many errors that have been published, one of Mr. Stewart's biographers tells us the "merchant prince of Broadway came to New York a poor Irish pedlar." Another says that during his first few years' residence in that city he lived on the interest of his fortune, and only engaged as a teacher for mere amusement. We have already shown that A. T. Stewart had

not only received a first-class education, but throughout his whole life he cultivated with the zeal of a student the lessons taught him in early days, and until he came of age and was about returning to Ireland in order to receive the property left him by his grandfather, he supported himself in New York by his educational abilities. Again, much has been written about the martinetism of Mr. Stewart toward his employés. It is true that, like the Iron Duke, he was absolute in his dictum, and when he issued commands as to certain details of business he did not permit any of his people to deviate from such orders. Implicit obedience he must have, but no great administrator ever delighted more than he did in recognizing the faithful discharge of duty on the part of his assistants. He died childless. Some of his immediate relations reside near Lisburn, and, strange to say, not one of these people is named in the will of the great millionaire. Still, A. T. Stewart loved the land of his birth, and for the home of his adoption he cherished patriotic affection.

[*New York Trade Reporter—Saturday, July* 22, 1876.]

THE WILL OF THE LATE A. T. STEWART.

The decision of Surrogate Calvin in regard to the validity of the last will and testament of our great and lamented New York merchant, has been read with unalloyed satisfaction by thousands of our fellow citizens in this and other States. Although we may justly claim him as belonging to our city, yet Mr. Stewart's reputation was thoroughly national; more than that even, for his decease has left a void in the great centres of European trade and manufactures which it is almost impossible to fill. When, therefore, the public became aware that certain hungry individuals, calling themselves blood relations, family connections, &c., had suddenly started up from the hidden depths of Long Island and other localities, claiming participation in the dead merchant's estate, universal opinion ran rapidly over the gamut of doubt, disbelief, surprise, astonishment and disgust.

Mr. Stewart has been in and out amongst us during many long years. The oldest among us knew him best, whilst the youngest

looked upon him as one of themselves, the greatest of our merchant princes, and one of the founders of the grandeur of this Empire City. He was "known and read of all men." We knew him to be exact and precise in his varied relations with his fellow man; his only secrets for success in business were justice, liberality and truth, and his colossal affairs were transacted on that basis during a long lifetime. In the maturity of his years, the brain active and capable as ever, although the weakly tenement of clay began to fail, he dictated his last will and testament. Was it likely that a man who had been so remarkable for rectitude in life would prove false to his own principles when the warning of declining years told him he was about to render account of his stewardship to his Maker? The thought itself is repugnant to all our ideas of common sense and sound reason.

Mr. Stewart's will may very properly be regarded as the property of the public, and any who seek to upset its wise and beneficent provisions are nothing less than public enemies. The entire community is interested in the thorough carrying out of that instrument. The testator left the great bulk of his vast possessions to his widow, with the most heartfelt request to her that she would expend the many millions he had amassed, for the benefit of the poor and suffering. It is not often that we find such a pathetic appeal in a will as that addressed by Mr. Stewart to his wife; and that benevolent lady, as we all know, is most energetically and faithfully executing the last wishes of her husband. Mrs. Stewart holds in this country to-day the lofty though quiet and retiring position that Lady Burdett Coutts does in England, and all honest men and kind-hearted women will bitterly lament if the law's delays and chicaneries be allowed to interfere with the widely spread though unostentatious benevolence of this mother of mercy.

The same is true in regard to that part of the will affecting the business. The colossal establishments at Chambers and Tenth Streets, the numerous factories in this country and Europe, employ thousands of work-people and support thousands of families. Mr. Stewart has bequeathed this portion of his estate in such manner that all the vast operations of his exceptionally active life will still be carried on in their pristine force, and this

will accrue to the benefit of the whole community as much as to the workers in the various establishments. Judge Hilton and Mr. Libbey, the long-time associates and advisers of the great merchant, ought not to be interfered with by a set of hungry cormorants. That evidently is the opinion of Surrogate Calvin as well as of the community at large, and we feel assured that if the case of the petitioners should be continued from court to court, it will finally be dismissed by every one of those tribunals with all the unmitigated contempt it deserves.

[*Herald—July* 23, 1876.]

THE LATE A. T. STEWART'S KINSPEOPLE.

We print on another page an indignant letter written on the assumption that we had called some of Mr. Stewart's pretended relatives impostors. We have no recollection of applying that term in such a manner that any real kinsman or kinswoman of Mr. Stewart could take offence; but we may, perhaps, have employed strong language in connection with the attempts to set aside Mr. Stewart's will. If the great merchant had died intestate it would have been proper enough for all his near and all his distant blood relations to have asserted their kinship and put in their claims to his property. But against a valid will all such claims are worthless and ridiculous. Every man has an unquestionable right to dispose of his property by will as he pleases, and Mr. Stewart very naturally and properly devised the bulk of his to his childless wife. If she had borne him sons and daughters, and they had been neglected in the will, there might have been a reasonable presumption that the will did not express his real intentions. But no such presumption can arise in the case of distant cousins. It is not necessary to dispute the relationship of these people in order to explode their pretensions. The fact that Mr. Stewart during his life kept himself entirely aloof from them proves that he had no such special regard for them as would make his omission to recognize them in his will strange. The most they can say is that they would have a claim to a share of his property in the absence of a will; but against a will their

claims are preposterous, unless they can prove that Mr. Stewart was of unsound mind when he made the will. His neglect of distant cousins whom he never recognized during his life is quite consistent with the full possession of his faculties. He never gave them the slightest reason to expect that he would bequeath them a dollar of his property, and their parade of kinship against a valid will is simply absurd.

THE LATE A. T. STEWART'S WILL.

A LETTER FROM ONE OF THE "BLOOD RELATIONS."

CORNAGELTA, Monaghan, *July* 13, 1876.

To the Editor of the Herald: On the part of Miss Gertrude Rose, my patron, a landed proprietress and lady of high standing in the county of Monaghan, on my own part and that of my family, father and brothers, may I ask the grounds on which you have published our letters to Mrs. A. T. Stewart and Judge Hilton as those of impostors? Is it because we have dared to claim kinship to the late Mr. Stewart? Well, sir, we do claim kindred to him, and that the exact degree of kindred which I mentioned in my letter to Mrs. Stewart—namely, that her husband, the late Mr. A. T. Stewart, was first cousin to my father, Thomas Begley, who is still living and residing near Lisburn—and until you and Judge Hilton prove to the world that this is a false statement on our part, I call upon you to publicly retract the scandalous insinuations published in your paper concerning us, or to lay at once before the public your proofs that we are impostors?

On learning of the death of Mr. Stewart, and of the surprising distribution he made of his vast wealth in the will given to the public, therein ignoring and passing over his blood relations, I hastened to place before his widow my father's near relationship to her husband, hoping she would see the injustice of his dealings toward his relations in that will and endeavor to repair it by calling on those relations to prove their kinship, and promising that if that were done to her satisfaction to give them a share of that wealth to which they have an undoubted right of and which that will seeks unjustly to deprive them. My letter was backed by

my patron, Miss Gertrude Rose, a lady of high standing. Well, sir, what is the justice accorded to us? Before there is the slightest investigation as to the truth of our statement our letters are published in your paper—the *New York Herald*—as those of impostors. This false and libellous assertion we call upon you to retract or prove. I shall not trouble you, sir, with the proofs of kinship and the genealogy of my family. I shall give these to the parties who will now act for my father, who, I again repeat, is first cousin to the late Mr. Alexander Turney Stewart, New York, and I challenge you or the world to prove that this statement is false.

Don't think for a moment, sir, that the main and principal facts of my father's honest and straightforward case can be at all affected by a mere inaccuracy or slip of memory on the part of any of his family. Truth will always prevail. I am, sir, your obedient servant,

WILLIAM BEGLEY.

[*New York Evening Express—July*, 1876.]

Since her husband's death, Mrs. A. T. Stewart has given away $400,000. Not a shyster lawyer nor a fraudulent relation got a cent.

"A new trouble threatens the country," says the Danbury *News*. "The scarcity of help is already being felt, especially in the West. Nearly everybody is being withdrawn from the field and shop to fill vacancies in the family of the late A. T. Stewart."

[*New York Freeman's Journal and Catholic Register—July* 22, 1876.]

SURROGATE CALVIN ON A. T. STEWART'S WILL.

The attempt of some parties to substantiate a claim, on the score of kindred, to some portion of the immense wealth of the late A. T. Stewart, has attracted attention. It would be a subject for ridicule, if it did not excite indignation. That a man so

exact and systematic in all his doings as Mr. Stewart was, should have omitted, in his will, any blood relatives that he did not intend to omit, is not to be credited. If he had nephews, or nieces, or cousins, the fact of such relationship of these to him is no basis of a claim to any part of the wealth he left, in face of the distinct provisions for a different disposal of his property, as made, and proved, in his last will and testament. The only plea that could be put in must be that of undue influence. But this plea is absurd, when argued against a man so proverbially independent and firm in his judgments as Mr. Stewart was down to his last days. Like every other prudent man, he had advisers with whom he consulted; but if Judge Hilton influenced him, even as to any details of the will and testament Mr. Stewart had proposed to make, it was because Mr. Stewart, in full possession of his faculties, chose to be thus influenced. Judge Hilton, in his testimony in the case, was perfectly frank. It has long been known that he was Mr. Stewart's most confidential legal and business adviser, and had fully entered into all his plans and purposes.

We are very glad that Surrogate Calvin took this opportunity to rebuke any tendency to tampering with so sacred a thing as the last wills and testaments of deceased persons. It is on that side, in our days, that danger lies, far more than on the side of undue influence. It will be a sad day for justice, when courts, or juries, undertake to change the testamentary dispositions men make of their property. It will be but one step farther for courts to undertake the regulation of living men, in the uses to which they choose to put the property they have earned, or possess. The Surrogate has done well in crying: Hands off!

The patient hearing he gave to the preposterous claimants will have the effect, we reckon, to cause them to cease from so idle a game.

[*Examiner and Chronicle, (Baptist.)—July* 27, 1876.]

TRYING TO BREAK WILLS.

The right to "make a will" has always been regarded as one which the law might regulate, but which could not be alienated

from the owner of property without tyranny. This right is based on the just principle that, as regards material possessions, a man may do what he will with his own. And certainly it "goes without saying" that the man who has toiled through a lifetime to accumulate property, be it much or little, has the best title to order the disposition of it when he has passed away. This right the laws of civilized nations have carefully guarded, and the practice of the Courts has almost uniformly been to construe testamentary instruments as closely as possible according to the presumed intent of the testator. Until recent years, indeed, "breaking a will" has been an event of rare occurrence, seldom attempted, and still less frequently successful. The importance of protecting this right against invasion has been so clearly seen that both legislators and the Courts have been loth to disturb in any degree the time-honored custom of looking upon a dead man's will as too sacred to be meddled with, except for most cogent reasons.

Certain restrictions have, it is true, been placed upon the absolute exercise of this right. But these relate almost exclusively to other rights of a still more sacred character. Thus a man may not so dispose of his property as to deprive his wife and dependent children of proper means of support, and so cause them presumptively to become a charge on others or on the State. No matter what the will may say, the widow retains her right of dower, and in many States the minor children are entitled to a due proportion of the property before other disposition can be made of it. But, these natural claims provided for, a man of sound mind may devise his fortune in whatever way he sees fit, and the law justly respects his wishes, even though the will may seem eccentric in its provisions, or unkindly regardless of the expectations of kindred. That is the theory of the will, and on the whole it has been well sustained in practice.

But of late years there has been an evident tendency on the part of relatives to disregard this wise principle, and attempts to "break wills" have been slowly but steadily on the increase. This is especially the case when a large amount of property is involved. Witness the famous case of the "Allaire will," recently decided in New Jersey, which has been running in the

Courts for the past eighteen years. The contest over the will of Mr. A. T. Stewart is another case in point. The plaintiffs in this instance had absolutely no claim on Mr. Stewart or his property of a character to justify the setting of the will aside. They happened to be distant relatives of the testator, and they coveted a share of his vast fortune—that was all. It is well that the decision was adverse to the claimants in both of these cases. Many other instances will occur to our readers of efforts to break wills of less note on equally unsubstantial grounds. Bequests for benevolent purposes, especially, offer a "shining mark" for attacks of this character. Children who have "enough and to spare" are often so unfilial as to begrudge the sums piously bestowed by their father for the public benefit, and invoke the aid of the Courts to further their selfish wishes, while even distant relatives, "cousins twice removed," like greedy cormorants, are eager to share the spoils of one to whom in life they never thought of looking for support

It is natural, of course, when a rich man dies, that all who are in any way related to him should desire to participate in the distribution of his wealth. But if the testator has preferred, for reasons of his own, to devote his property to other objects, his will is just as much entitled to respect after death as before it. How absurd it would have been for the hungry claimants of the Stewart property to ask the courts during his life to give them a share of his fortune! But in what respect is the case different now that he is dead? He gave away the property as it pleased him, and it now belongs to those to whom he gave it. No one else has a right to a single dollar of it.

It is well, we say, that the decision in this case has sustained the will. Men cannot always "be their own executors." Circumstances may render impossible or unwise the distribution of a fortune during the lifetime of its possessor. His right to bestow it should be upheld, not only by the laws and the courts, but by that strong public opinion which gives stability to laws, and holds courts to a just and careful execution of them.

[*New York Daily Witness—Thursday, July* 27, 1876.]

CONTESTING WILLS.

In rendering his decision last week, adverse to the contestants of the will of the late A. T. Stewart, Surrogate Calvin incidentally gave expression to some thoughts, as the result of his observations and experience, deploring the "growing irreverent disregard by heirs at-law and next of kin of the last wills and testaments of those who, by honest industry and prudence, may have acquired a moderate competence or an abundance, and who, pursuant to law, have presumed to bestow their pittance or their fortune according to their own free will." The reflections of the Surrogate are of such general interest, and in the main are so eminently judicious, that they are worthy of consideration.

The Surrogate remarks that the dissipation of fortunes, as well as the destruction of family concord, by the unseemly and often dishonorable contests that have been made over wills, has converted the performance of a solemn duty into an occasion of anxiety lest it should prove seriously detrimental rather than beneficial to those who are just objects of testamentary bounty. And he adds that his observation has taught him that the evils spoken of are even more severely felt and deprecated by those who are of moderate means than by the wealthy. In such cases, which form the great majority of wills that are executed, the amounts devised or bequeathed are small, and yet upon their meagre bounties depend the sustenance and comfort of the wife, the education of dutiful children, the solace of venerated parents, and perhaps the aid and encouragement of some worthy Christian Charity or public benefaction. After reciting the various evils that are caused by the prevalent tendency of contesting parts of wills or of "breaking" them as a whole, and thus thwarting the intention of those who framed them, the Surrogate expresses the earnest conviction that "the interference with the deliberate and intelligent disposition of estates should not be encouraged, and particularly should the practice of encouraging experiments to overthrow last wills and testaments by allowing contestants to receive from the estates compensation for their unwarranted assault upon them be discouraged, and contestants, in case of failure, should be held to a rigid rule of good faith before they

receive an allowance from the estate." And he further urges, that as the "questions involved in cases of this kind are important, delicate, and not easy of solution, because the authorities treating of them are few," the law should be administered alike in cases involving small or large amounts, with absolute impartiality, and with the exercise of extraordinary care and diligence.

The suggestions of the Surrogate are important as well as timely. He has not exaggerated the extent of the evil which he deplores, and has but faintly pictured its injurious influences upon society and upon sound morals. It must rest, however, with the officers appointed by law, and with the Courts, whether the evil shall be checked or grow to still greater magnitude. If the unseemly contests, of which the Surrogate speaks, are encouraged by giving dignity and gravity to cases which, if not trumped up in order to secure "hush money," are either frivolous or have originated in a spirit of pure litigiousness, or have been conceived for purposes of annoyance, then the evil will increase. But if able and honest officers and judges will deal with cases of contested wills promptly as well as justly—listening indeed to the pleas presented on both sides with strict impartiality, but deciding upon them promptly, and refusing to permit lawyers to prolong them till they have exhausted the property at stake—then the evil may be kept within bounds, even though it may not be entirely cured.—*Christian Intelligencer.*

[*The Weekly News—Belfast, Saturday, July* 29, 1876.]

The last will and testament of the late A. T. Stewart has called forth a marvellous amount of comment on the part of the Press and the public. On both sides of the Atlantic we have had persons looking up the matter and discussing it as if they were personally interested in all the details. Few men of his own day possessed strength of mind and stability of purpose equal to that of the late Mr. Stewart. Like most founders of their own fortunes, he had naturally great faith in himself, and he rarely consulted others on special questions relating to his commercial affairs. It is more than probable, therefore, that in the disposal of his vast property by will, he took his own course in the first instance, and only sought outside advice as to the best mode of carrying out his ideas on the subject. There cannot be any doubt

that he had peculiar ideas about his relations. As the only member of the family who had made way in the world, he had been much plagued during his earlier days of success by the applications for aid with which he was besieged by professed relations, many of these having little more claim on him than that arising from the fact that they bore the same surname as himself. Since the great merchant's death this disposition to enforce relationship has been continued, and the number of persons who have put forward their petitions is really marvellous. In the early part of last month, James Bailey, who claims to be first cousin of the late A. T. Stewart, petitioned the authorities of New York for a revocation of the probate, and proceedings were immediately commenced on behalf of that claimant and others. An immense number of witnesses were heard on both sides, and, after a lengthened trial, Surrogate Calvin delivered, on the 11th of this month, his decision in favor of the executrix and executors, and establishing the will and codicils as duly signed by the testator in March, 1873. In the course of his address, the learned Judge animadverted in strong language on the "irreverent disregard" which heirs-at-law and next of kin choose to display in reference to the last wills of men who, having by strict industry and forethought amassed fortunes, choose to dispose of such fortunes as they themselves think fit. "Mr. Stewart," he added, "had an "undoubted right to leave his property to his wife and others "who had assisted him to make it, and that right he exercised "without consideration of the claims of unrecognized forty-second "cousins suddenly discovered by speculative lawyers." Having alluded to the number of applicants who had come forward, the Surrogate said that all such influences were usually detrimental to the interests of those who might be just objects of testamentary bounty. In the concluding passages of his adjudication, Surrogate Calvin severely condemned the practice of disputing wills made by men in the full enjoyment of their faculties, and on whom no undue influence was likely to have been exercised. After having delivered his judgment in favor of the probate as taken out by Mrs. Stewart, Judge Hilton, and others, the Surrogate said he would not recognize any allowance to the contestant, who had made such an unwarrantable assault upon the estates of the deceased.

[*The N. Y. Evening Mail—April* 15, 1876.]

MR. STEWART'S WILL.

Probably the publication of no rich man's will was ever looked forward to with such eager curiosity as that of Mr. Stewart, which was first published by us yesterday afternoon. That Mr. Stewart had great designs in the way of public benefactions, he never proclaimed, or even said to any one outside the circle of his confidential advisers, so far as we know; but it was taken for granted, and he never contradicted the various rumors that were afloat as to the disposition of his property. He was a shrewd man, and knew the world. He knew that if he undertook to controvert every fresh statement of gossips as to his intentions, he would soon have to give up all other business. As he was master of the movements of nearly ten thousand employés, as he was not only a great merchant but a great manufacturer and a large builder, as he took a keen interest in public affairs and in the world of art, he let the gossips have their own way, and quietly attended to his own business and worked out his own vast plans.

But it was thought that his will would let out all the secrets that had been so wildly guessed at. Curiosity would at last be satisfied, and there is no instinct of human nature that it is more dangerous to trifle with or disappoint. And curiosity, in this instance, is disappointed. The will tells nothing as to the final disposition of Mr. Stewart's estate, which was not generally known, or taken for granted. As human nature is constituted, this fact alone, inevitably produces on most minds impressions more or less unfavorable to the reputation of Mr. Stewart as a public benefactor. To be sure, it will be admitted, he had a right to do what he would with his own; but it is intimated in one of the morning papers that "there will exist a certain misgiving whether the man who owed so much to the material and social development of this country did right in giving up for the sake of either so little of his substance in return."

The same paper, the *Times*, adds: "It is true that Mr. Stewart has honored womanhood by the boundless trust he has displayed in the discretion of his widow; true also that he has bestowed one of the most splendid rewards every granted to faithful and

single-minded service in his bequest to Judge Hilton. He has remembered with princely liberality the devotion to his interests of the men who helped to guide the complicated mechanism of his business, and two of the friends of his early days have shared his bounty in a manner which is as generous as are the sentiments by which the legacy is accompanied. That is much to say of any man, even of the owner of forty millions. But still there are many who will compare the work of a man of moderate fortune like Peter Cooper with that of a man of untold resources like A. T. Stewart, and will regret that the great dry goods merchant should not have given the city to which he owed so much some better reasons than he appears to have done for holding him in lasting honor."

We may say, as to this comment, which is certainly made in no spirit of small or unkind criticism, that a more careful consideration of the will, of the circumstances of Mr. Stewart's business career, of his relations to business associates, and of the characters of his executors, might have resulted in a different estimate of the wisdom of the will.

Let us try to examine this matter without prejudice or feeling of any sort. The will was made just after his recovery from a sudden and severe illness from which he was only rescued by the greatest skill and care. Up to that time he had apparently counted on a prolongation of life sufficient to enable him to accomplish all the various plans he had in view, as to the disposition of his estate. Although seventy years of age, he had a tenacious constitution, which he had never impaired in any way whatever. But he had been brought near death's door, and determined not to leave the large tasks he had assigned himself to the chances of being left all unperformed, in consequence of another sudden illness of like character, which he believed would be fatal. Still, he hoped to be able to execute his own designs.

The will, the codicils, and the letter to his wife, constitute one document, and each explains all the rest. What are the main ideas that pervade this simple and admirably drawn document? First, an absolute bestowal of the great body of his property upon the wife who had shared with him all his fortunes, whom he had trusted for half a century, who knew all his plans. Secondly,

a careful provision for the gradual winding up of his vast business, and a handsome recognition of the value of the services and of the fidelity of the friendship of his most confidential adviser, Judge Hilton, and a gift to him of a sum that would be in lieu of all future fees and salary, and that would enable him to give his whole time and energies to the completion of Mr. Stewart's designs. Thirdly, the constitution of a joint executorship which united with his wife and his bosom friend, his business partner and faithful friend, Mr. Libbey. Fourthly, the careful provision for a large number of friends, of the relatives of his wife, and of those who had been specially trusted in his business. As to this last feature of the will, we do not recollect that of any other millionaire which shows an equal degree of fidelity to family claims, or of care in remembering a large number of individuals. The provision with regard to the two single ladies whom he alludes to as "the friends of my early years," "at whose father's house I enjoyed in my youth a hospitality and welcome which I cannot forget or repay," speaks especially well for the tenacity of a gratitude seldom shown by the greatly fortunate to their earlier friends. The provision, in the letter to his wife, for all his older employés, will be just as sacredly observed as though it were part of the will, and was equally creditable.

But there is nothing said of public charities in the will, and the letter is not binding or specific in its injunctions. How could it be? Mr. Stewart has a large amount of capital in a business extended to all parts of the world. If he could not, while living, hastily withdraw that capital without doing great injustice to the associates and employés who had helped make his fortune, why should he undertake such a thing through the formalities of a will, known of all men? Since the will was made, it seems to be forgotten, there has been a panic that disturbed even so strong a house as that of A. T. Stewart & Co., and there has followed a depression more dangerous than the panic. Had no such general calamity intervened, it is possible that Mr. Stewart might ere this have withdrawn every dollar of his capital from the firm. But there has been no time since September 20, 1873, when such a step on his part, hastily executed, would not have wrought incalculable harm, not only to his partners and dependents, but to

the trade of this city. All this he undoubtedly foresaw when he drew his will, for he predicted the panic, at least a year before it occurred.

Neither Peter Cooper, Mr. Peabody, nor any other of the successful business men who have been distinguished for their philanthropy, was placed in a position like that occupied by Mr. Stewart; and it must be borne in mind that he held it to be his first duty to the public to carry out to its culmination his system of doing business on the basis of unvarying uniformity of dealing and truthfulness of representation, to develop American manufactures, to provide wholesome and cheap rural homes for the workers of moderate means, and to accomplish a variety of objects such as no single individual ever before undertook to achieve. He was the genius of a vast and complicated machinery of trade and production, which might easily fall into disorder and ruin if suddenly deprived of his masterly management.

It was a fixed principle of his life that true charity could only begin after the demands of justice were complied with. Probably no man knew better the certainty of the popular adulations that would have followed his abrupt closing up of business and unconditional gifts to public charities, no matter how those who depended on him, or trade itself, might have suffered. But he was true to those who had served him, who had helped him build his fortune, who looked to him as their protector. He believed that the truest benefactor was the man who organized business that gave honorable employment to worthy people.

Had he lived, most people would have waited patiently for the development of the plans he had in view. Why not now? What arbitrary provision by a will could as certainly work out his difficult and complicated problem as well as the three persons who best knew his plans, his business, his resources, his entanglements and his difficulties? No one ever thought he was a poor judge of men, and certainly he has had every opportunity to know the characters of Judge Hilton and Mr. Libbey. He evidently put the most implicit trust in their fidelity to the purposes he had formed as to promoting the welfare of his fellow-beings. He would not fetter them by specific provisions which he felt to be unnecessary, any more than he would fetter the action of the wife whose love he had tested for half a century.

On them has fallen a responsibility such as has been borne by no other persons in like situation, so far as we recollect. That they feel a keen and conscientious sense of their responsibility we have good reason to believe. That they will faithfully execute all the trusts reposed in them by Mr. Stewart we do not doubt, for we know them. That the final results will justify all the reasonable anticipations that have been formed as to Mr. Stewart's benevolent intentions, we feel certain. That one great charitable institution, whose cost alone will exceed the entire amount given by some persons of world-wide fame as philanthropists, will be completed and given to its uses within the year, we have most trustworthy information. We mean the "Working Women's Home."

And while the executors of Mr. Stewart's estate are working out his plans, they are certainly entitled to the presumption of their earnestness and fidelity, which the best of all human judges expressed in the letter that explains his will—a confidence which increased until his death. They are entitled to confidence and encouragement, instead of baseless suspicion and complaint.

[*Sunday Times and Messenger—April,* 1876.]

One of the inevitable results of large wealth is the importunity of beggars, and the recent experiences of Judge Hilton and Mrs. A. T. Stewart, in this regard, are no different from those of the late Mr. Peabody, the late William B. Astor, as well as Mr. W. W. Corcoran, Commodore Vanderbilt and other living millionaires. There are undoubtedly deserving persons craving aid, whose condition commends itself to sympathy; but they are submerged by the torrent of fraud and deceit through which so many wrongfully seek to obtain money. The confidence men are always abroad, and hence the baskets-full of begging letters, commonly received by gentlemen of known wealth, are consigned to the flames. Everybody has poor relations, and why not the late Mr. Stewart?

[*New York Daily Graphic—April,* 1876.]

It seems that some of the persons who have written tons of letters to Judge Hilton and Mrs. Stewart, claiming relationship

with the late Alexander T. Stewart, and asking emolument therefor, have brought suit against the estate for money. It is difficult to see how relatives can render nugatory the provisions of the will, no matter how near or remote they may be. The whole affair looks very much like a tempest in a teapot. It seems Mr. Stewart's middle name was Turney.

[*New York Evening Mail—April,* 1876.]

While Alexander T. Stewart lived, no one ever heard of his poor (or any other) relatives. Since his death they have sprung up, like Jonah's gourd, all over the world, and scores of letters are received every day by Judge Hilton, suggesting cousins, uncles, grand-uncles, nieces, and the whole brood of blood kindred, except grandfathers, and they are expected by every mail. Judge Hilton reads and smiles, and leaves the crop of gourds to wither in the blight of silence.

[*New York Evening Express—May,* 1876.]

THE RELATIVES OF A. T. STEWART AND WHAT THEY CLAIM.

Mr. Harrison, a partner of Mr. Turney, of No. 116 Broadway, told a reporter that the latter had recently died, but he was a blood relative of the late A. T. Stewart.

Ex-Coroner Flynn was not sure that his thirty-second cousin on his aunt's side was in any way related, even remotely, to the dead merchant. If he was he wanted the money.

Jim and Bill Turney, electrotypers, of No. 16 College Place, said that the lawyers were preparing the papers, and the world would be shown in a few days that the Turneys and the A. Turney Stewart family were closely connected by blood.

The Hon. Nicholas Langdon wasn't sure about it, but he thought he could establish a connection from resemblance between his shirt collar and those worn in his lifetime by Mr. Stewart.

George Turney, printer, of No. 77 Chatham Street, said that there are nine in his family, who would sue for the Stewart dollars, exclusive of four cousins, who claim to be children of

Mr. Stewart's sister. Here is the array: George W. Turney, Catherine Turney, Samuel Turney, James Turney, William H. Turney, Augustus M. Turney, the son of Paschal W. Turney, John H. Turney and Lucretia Turney. He claims to have known A. T. Stewart when he was a teacher in Brigg's school. Mr. Stewart, he said, was born in Belfast, in 1800, not in 1803, as the papers stated, and consequently was 76 years old when he died. Mr. Turney himself and his father knew Mr. Stewart intimately, but of late years there had been an estrangement.

Ludwig Ferdinand Kurtz bears a striking resemblance to the late Mr. Stewart. He was found in a Bowery pork and beans shop. He said that he had heard he might establish a relationship, but he was too much engaged at present in the composition of Centennial odes to look into the matter.

Henry M. Turney sells boots and shoes at No. 414 Fourth Avenue, and proposes to handle some of the money Mr. Stewart couldn't take with him. He intends looking up his genealogy to see if he can establish a connection between his name Turney and Mr. Stewart's Turney.

Mark Lanigan said he didn't think it would do him any good to mix up in the business. He was a Far-Downer, while Mr. Stewart was a North of Ireland man.

Mike Gallagher, the well-known printer, said he didn't know as he was a relative, but in view of the price of tobacco, ale, and Spring clothes, he thinks he ought to have been one.

Bill Turney, of 159th Street, was found to be absent from home, but Mrs. Turney said they were blood relatives. They proposed to keep their own counsel as to their intentions, but they would be heard from in due time in the courts.

Frank Spinola said that he had not studied up his genealogical tree, but he had no doubt he was a true son of Tammany.

[*The New York Churchman (Episcopal)—April* 29, 1876.]

RICH MEN'S WILLS.

There has been considerable comment on the will of Mr. A. T. Stewart, and among other sharp things said, it was intimated that he never rose to the comprehension of the real amount of his

fortune. We beg leave to question these inferences, because it seems to us that his course shows him to have been eminently alive to the magnitude of his possessions. He knew the effect of *momentum*, which holds good in business as in other things. A railway train, even with the most improved apparatus, is not stopped as shortly and easily as a wheelbarrow. Mr. Stewart showed himself perfectly aware of the duty he owed to his army of dependents. Had he left in his will precise bequests and large legacies to different objects, the necessity of distribution would have compelled the breaking up of his vast enterprises, the conversion into cash of property which would shrink vastly in value when diverted from its original use, and in short much of the same waste and loss which happens when a party of savages are pulling to pieces a stranded wreck for the sake of the copper and iron.

Had Mr. Stewart, on the other hand, provided for those charities which he designed to aid, some future bequests, to take effect only after the gradual winding up of the business, he would have been obliged to state the terms on which they were to take effect and the amounts, which might easily prove to be mistakenly calculated. What we mean is, that the basis of such a large fortune would be very uncertain where rigid calculations are required. Between the making of that will and the testator's death, property in New York City has declined in value a third. We can easily see that bequests which one would readily make out of one amount of fortune, would be revoked under another. For example, being able to give to every charity which he thought deserving as much as he wished to give, Mr. Stewart might have felt free to bestow his house upon the Union League Club, and his pictures to a public gallery. But if, in the decline of values, the Woman's Lodging-House and the suburban Home would be crippled and shorn of their success without the sale of house and pictures, Mr. Stewart might well wish to reach the essential good at the expense of the pleasing benevolence.

We are putting these cases and discussing this topic not for the sake of defending Mr. Stewart, but because he seems to us to have instinctively fathomed the difficulties of a colossal fortune. To distribute a moderate estate is easy for a childless man, with-

out relatives who have any special claim. He takes the one or two objects he has most at heart and gives to them. He may think foreign missions most desirable, while he has no objection to domestic missions. He can aid a blind asylum, while not at all insensible to the claims of an asylum of the deaf and dumb. He cannot do anything worth mentioning for all, or for many, of the causes he would like to help, so he sensibly selects the one which needs the most, or is most dear to his heart.

But suppose a man of many millions to be in this case. A gift of ten or twenty thousand dollars would be very grateful to any one of a hundred deserving objects. To put, like Girard, all into one colossal bequest, is to open the door to waste, misuse, jobbery and robbery. To fill up the list of legacies with the names of the various charities, beginning with an orphan asylum and ending with a fund for indigent bank clerks, is, as we said, very well when the amounts can be handed over at once. But when circumstances—and those perfectly unforseen—have arisen, before a will can be carried into effect, then every one says: "What a pity." Mr. Peabody, or Mr. Girard, or Mr. Astor could not have suspected this; he would have done so differently. There is but one way of meeting this, and that is by the discretion of a confidential friend and executor, with full power in the premises. We suppose that there is no provision in a public charity more absurdly hampering than the requirement in Stephen Girard's will as to the apprenticing of the orphans in his college. Apprenticeship is done with, but the fatal clause hangs over the head of the trustees; and an orphan once inside the college walls can hardly be got outside till his majority.

We have tried to set before our readers a little of the difficulty with which the disposition of a colossal fortune is attended. It seems to most people the easiest thing in the world. But the question often arises, whether that which is received is to be that which was given, and that is very far from being a certainty. And again, there is the consideration of what a man may rightfully bequeath. For instance, could Mr. Stewart give away the prosperity, the maintenance of nine thousand employés? We are inclined to think that he could not, either justly or kindly. There is a sense in which wealth, as well as rank, "obliges." In

small enterprises dependent labor passes from one employment to another readily. If one house is closed, another takes its place. But, we repeat, a great enterprise cannot be so handled. That is the peril of monopolies, one fact which shows that they are undesirable. And if a man by dint of unequalled skill and business talent, to say nothing of strict integrity and prudence, has built up a great monopoly, he is not to be blamed if he does not choose to let it come toppling down on the heads of an unprepared community.

[*Brooklyn Daily Argus—May* 17, 1876.]

GARDEN CITY, THE EDEN OF LONG ISLAND.

How Hempstead Plains were made to Blossom—A thriving City in a country Solitude—What A. T. Stewart begun and Ex-Judge Hilton is finishing—Homes for the Business Men of our two great Cities.

Out from the Hunter's Point depot behind a brightly polished and puffing locomotive, through the environs of that city which gradually grow less and less populous, down the well-ballasted and easy-riding road-bed of the Central Railroad, over and under highways and railroads, across trestle-worked meadows, creeks and rivulets, in and out of tunnels and deeply-cut gulches, through villages whose inhabitants regard with a never-failing wonder the thundering of a railway train, past fields that freshen with every furlong, and farm-houses that furnish a feast to the eyes of the city's children; along the Creedmoor Range, with its rows of whitened targets in the distance, like well-disposed headstones in a well-managed grave-yard; out into a broad plain, whose sides meet the horizon on the east and south, and merge into a long, low, dark range of hills on the north, and with a shriek and snort the "express" is brought to a stand-still at the station in Garden City, seventeen miles from Hunter's Point and forty minutes by the station clock, which runs with the regularity and precision of the sun in his daily passage from one side of Hempstead Plain to the other. Finely-built dwellings of modern design, model in every respect, interior as well as exterior, garden plots and lawns, with

shrubbery and growing shade-trees and broad drives, assured of an abundance of shade in time to come, and lined with flagged walks, catch the eye in every direction and strengthen the claims of the delightful locality to the name of Garden City, which its founder, the late A. T. Stewart, so appropriately bestowed upon it. Under his management, the once waste and unprofitable Plain—twelve miles in length and nearly half that in breadth—has been made to blossom and bear the distinction of being the Eden of Long Island, and his heirs will see to it that its title remains unimpaired.

ONCE A WASTE PASTURE.

In the olden time, the great plains were spoken of as a tract of land comprising "40,000 acres of good pasture, without a stick upon it." For generations they were the common pasture of the Hempstead farmers, regarded as worthless for purposes of cultivation, and as late as 1830 some portions brought 50 cents an acre. In 1869 Mr. Stewart paid $250 an acre for the same parcels. Instead of being perfectly level, as has generally been believed, the plains have a gently rolling surface, and slope gradually from North to South. Their soil is from ten to twelve inches in depth, and has an underlying bed of loam and gravel fully sixty-five feet in thickness. Not a tree dotted the whole surface of this vast stretch; not a stone as large as one's fist could be found throughout its length and breadth—nothing but a coarse grass, which waved luxuriantly, and shrubbery of stunted growth as far as the eye could reach. To this unpromising spot Mr. Stewart's attention was directed, and he conceived the idea of transforming it into flourishing fields and settling upon it an inland city, generously laid out, well-built and endowed with all the attractions, comforts and conveniences of life in a big city, added to the pleasure and novelty of country surroundings. In 1869, Mr. Stewart stipulated with the people of Hempstead town to purchase a portion of their great plains at $55 an acre. A town meeting was held, the stipulation was accepted, 1,077 votes being cast in favor of it and only 91 against it, and on the 13th of September, that same year, the deed for 7,170 acres was signed, and Mr. Stewart paid for his purchase with a check for $394,350. This purchase was subsequently increased 1,500 acres, making a

total of 9,670 acres, or nearly one-quarter of the great plains, of which Mr. Stewart became the owner.

THE WORK OF IMPROVING THIS PROPERTY

was at once begun. The location of the new City was fixed on a spot about one mile from the old village of Hempstead and another mile in the opposite direction from the Court House, which is built in the geographical centre of Queens County. Hardly had the surveyors taken the field when the services of an enthusiastic and energetic manager were lost to Mr. Stewart by the death of Mr. Kellum in July, 1871, and for a time it seemed as if the enterprise lagged, and doubts were entertained of the success of the project. The 1st of April, 1874, saw Mr. W. R. Hinsdale installed as general manager, under whose watchful eye the work has gone bravely on, reaching its present finished stage. It was the wish of Mr. Stewart that no pains should be spared to place his embryo City on the high level which he had designed for it, and his wife and ex-Judge Hilton, whose capability and judgment so strongly commended him to the merchant prince in declining life, are fully in accord with this wish, as the nature of the improvements contemplated will show further along in this sketch. They visited Garden City yesterday, made a careful inspection of the work already in progress for the season, and laid before Mr. Hinsdale their plans for the future. Chief among these is the erection of a costly Memorial Church, of liberal design and the finest workmanship, with rectory and school adjoining. Twelve acres of land will be devoted to this purpose. They comprise a block near the Park, which has already been reserved for a future public, and are a quarter of a mile away from the Garden City Hotel, in a Southwesterly direction. The Church will serve the double purpose of a place of worship and

A MAUSOLEUM FOR MR. STEWART'S REMAINS,

which will be removed from New York City and reinterred in these grounds. The heart of the great merchant was in his Garden City, and no fitter resting-place can receive his remains. The grounds about the edifice and its adjuncts will be tastefully laid out, beautified with trees, shrubbery, and flowers, and be made as attractive as the hand of Nature and man can make them, and always open to the public. The work of excavation for the

foundation is to begin immediately, and the corner-stone will be placed in position in a few weeks.

Three thousand acres of land have been broken, and are now under complete cultivation. One hundred and nine houses are finished and ready for occupancy; twenty-five of which were built within the last year. Nothing on the Stewart estate is sold; everything is leased, and the city has so strongly commended itself by its healthful location, its absolute freedom from damp and chills, its invigorating atmosphere and artificial advantages, that there is a steady growing demand for the privileges of tenantship. The supply of dwellings will keep as steady a pace as the demand, with the one advantage of being inexhaustible. The one and the only one thing demanded of all seeking a residence here, is references of an unquestionable character. With a clean record, no man is denied the privilege of settlement wherever in the limits of the city his choice may dictate. The principle is as vigorously carried out now as in Mr. Stewart's life-time Every one of the 109 houses in the city is

PROVIDED WITH ALL THE MODERN IMPROVEMENTS,

from the stationary wash-tub—a woman's never-failing source of contentment—to hot and cold water, gas, and bath-room, kitchen range and furnace, and that modern master of waiter and cook, the speaking tube. The smallest house has two stories, and its basement is built high above ground. It rents for $250 a year, and contains seven rooms. The $350 house, with an Italian roof of the smallest possible pitch from the saddle-beams to the eaves, contains the same number of rooms. Next ranks the $400 house, with a gable roof and dormer windows, three stories in height, and containing ten rooms, including the three attic rooms, which can always be utilized. The $500 house is of three stories, with nine rooms, while the $550 house is of brick, three stories, and with eleven rooms. Then comes the $850 house, four stories in height, with Mansard roof, a house 44 by 48 feet, with fourteen rooms, finished to suit the most fastidious. The $1,000 house caps the lot; is of precisely the same style and finish as the last, with the addition of a stable adjoining, and finished enough for the reception of a Dexter. Every house is located on a plot comprising from one to two acres, giving ample space for a lawn,

garden and walks. This range in price is sufficient to meet the means of business men, who at present, and who will in all time to come, in all probability, constitute the major portion of the city's inhabitants. The distance from New York places Garden City just within the convenient reach of the man who is bound down by long working hours.

THE STREETS AND AVENUES.

The city is regularly laid out, with its avenues running due North and South and its streets East and West. Their width is 80 feet from curb to curb, and rows of Norway maples and elms adorn them throughout their length. The main street is graded its length of eight miles, and makes a noble driveway. Up to this time, eighteen miles of streets and avenues have been laid out and graded. The Garden City Hotel is an imposing and substantially-built structure, of brick, with marble trimmings, four stories in height, with Mansard roof, looming up an object of attention for miles around. It is due North, about three minutes' walk from the depot, and is surrounded with grounds tastefully laid out in walks and drives. It extends from East to West. Main entrances are on the North and South sides and also broad piazzas. Its rooms are finely and many of them even magnificently furnished. These latter contain marble mantles, that were cut in Italy, and are among the finest pieces of sculpture in this country. The ventilation of the hotel, as with every building that has been erected in Garden City, has been made a special study, and the result is of a most satisfactory order. Hot and cold water, gas and steam heating appliances complete a list of essentials to the model hotel.

SHADE TREES AND SHRUBBERY.

The presence of shade trees and shrubbery was recognized as a necessity from the inception of Garden City, and to-day it boasts of a vigorous forest of 45,000 trees. In no case has a building lot or street side been unprovided with them. Their variety is endless, comprising, among others, balsam firs, Austrian pines, European lindens, Norway maples, scarlet maples, Norway spruces, the moosewood tree or striped-barked maple, while many tall specimens from China and other antipodal countries are to be met with. Arbor-vitæ, pirus, japonica and cedar are the principal

hedge shrubs. The lawns are made to bloom from the 1st of May till Jack Frost asserts himself, and many different kinds of shrubs have been set out all over the City. One variety may drop its blossoms in May, another variety bursts forth and fills its place in the picture of the landscape. The success which has attended the transplantation of large trees is simply remarkable. Trunks that are 4 feet and 4 inches in circumference, and standing 45 feet "in their stockings" have been transported nine miles and settled about the hotel grounds, where they thrive and leaf and blossom in their season. Not a single failure has attended these experiments. These larger trees were all brought from the old Prince Nursery in Flushing, whose growths were regarded with such favor in Revolutionary times that Lord Howe placed a guard about the grounds to prevent the soldiery from committing depredations within. The last of this famous variety of maples and lindens was purchased and transplanted to Garden City a year ago. The process was a peculiar one and required the greatest skill and attention. After the sap had ascended the trunk in the Spring the tree roots, which spread out in every direction, were laid bare and cut off at a distance of about six feet from the trunk. They were then covered up again and the following Spring myriads of small roots threw themselves out from the base to supply the place of the lost ones. The tree was then carefully taken up, and once transplanted, these small roots were readily reconciled to their new bed, and pushing themselves out, they fostered on the soil and fed the tree with the requisite nourishment.

THE WATER AND GAS SUPPLY.

A never-failing supply of water is guaranteed to Garden City. For twenty-five feet below the surface of the earth millions of gallons of water are slowly percolating through a mass of sand and gravel forty feet in thickness, to the sea at the South. The old theory that the waters of the Sound trickled under Hempstead Plains to the Atlantic at no great distance from the surface, is at once exploded when the fact is known that the plains are 100 feet above the level of the waters of the Sound. The water obtained at this level is of the freshest and purest kind, and bears many strong recommendations for healthfulness from medi-

cal men. A reservoir is to be built immediately, and the first spade will be put to excavation this week. It will be 50 feet in diameter and 30 feet deep, and be provided with Holly's system of water supply, which is capable of pumping 2,500,000 gallons of water daily into the sixteen-inch mains, which have been laid in the principal streets. As 43 inches of rain falls in a year on Hempstead Plains, and an incomputible amount of water flows off the Hempstead hills at the North, and percolates beneath its surface, the residents of this city need have none of that fear of water famine which annually parades itself to the imaginations of Brooklynites and New Yorkers.

The drainage and sewerage are perfect, and conducive to a sanitary condition that is faultless. The gas used is made by the "maxim" process, and is confined in fire-proof vaults under ground, which are closely watched night and day, and all possibility of an explosion is precluded. The only indication of gas-making in the City is a small cupola-shaped house, twenty feet in height, which contains the retort and the steam apparatus converting the gasoline into a gas, mild and agreeable to the eye and olfactories, and of a far superior lighting quality to that furnished by the Brooklyn Companies.

PROJECTED IMPROVEMENTS.

A few miles to the Eastward of Garden City, and just outside its limits on the line of the Central Railroad, ex-Judge Hilton will have completed in a few months a mammoth shop for building and repairing locomotives and cars. It is near the Queens County Agricultural Grounds, and is to be 300 feet square, with offices and storage quarters for railroad supplies in the front, and the building and repairing departments in the rear. The Poppenhusens will lease it, and through it equip the railroads on the Island which have recently come into their possession, and which comprise the Central, Long Island, Southern, Flushing and North Shore, New York and Flushing, with their branches. An army of laborers will be set to work at once. Dwellings are to be erected for the employés of the shop, and in another year a new line of industry will be flourishing in Hempstead Plains.

A SHORT CUT TO NEW YORK.

Surveys have been made, and the contract has been awarded to

Mr. T. P. Kinsley, of Brooklyn, for a new and more direct route to Hunter's Point. The "new cut" will strike from Garden City to the New York and Flushing Railroad, at a point between Flushing and Rocky Hill. With its completion, the time of express trains to Hunter's Point will be reduced from forty minutes—their present running time—to twenty-eight or thirty minutes, a saving that will be appreciated by business men who live in Garden City.

To do all this work, as well as attend to the cultivation of Garden City's acres, the grading of her streets and the building of her houses requires a body of men 500 strong, increasing vigilance on the part of those intrusted with the management of these various enterprises, and a zeal and fidelity born of interest in the great work. All these essentials have been developed in the gentlemen at its head. Under the eye and critical tastes of ex-Judge Hilton, whose pride in this undertaking was only exceeded by that of Mr. Stewart, the plans of the latter will be carried out with an attention to detail, and a vigor characteristic of the gentleman in whom so much confidence is reposed. Their perfection will be reflective of credit and honor alike to him and the name of one who certainly "builded better than he knew."

[*Buffalo Commercial Advertiser—April* 15, 1876.]

READING THE WILL.

From all accounts it took but a very few words to dispose of Mr. Stewart's vast estate through his will and testament. In many respects the document is peculiar. It will excite surprise, and to many may cause chagrin and disappointment.

The wealthy testator seems to have remembered old friends and faithful servants. To his legal adviser he bequeaths the princely sum of a million dollars. Very handsome legacies and annuities are to be paid to women who have long served his household, and to clerks who have retained his confidence for many years, and to friends who in days gone by had been tried and true. To every person who had been in his employment twenty years $1,000 will be given, and those who have served ten years are to have half that sum. Many hundreds of men

and women were employed in the merchant prince's vast establishment, and to pay these individual legacies will take no small fortune.

While persons whose fidelity demanded recognition have been remembered, great public charitable institutions are not mentioned. But in a letter to his wife the testator speaks of an intention to make provision for worthy charities, and asks her, in advice with his friend Judge Hilton, to see that plans that he had made the subject of interest shall be carried out. This will not satisfy gigantic charitable corporations that had hoped to secure a thumping legacy. It is not unlikely that something besides good will be spoken of the dead merchant; *but there are many humble and hard-working men and women who will bless the memory of the man who did not forget them in the day of his marvellous prosperity.*

[*The New York Evangelist—August* 31, 1876.]

A. T. STEWART & CO. IN CHICAGO.

The press of Chicago is felicitating itself on the occasion of so great an advantage to that city as the opening of a branch house of A. T. Stewart & Co. The Chicago *Times* says:

"The millions of money that have lain idly invested in Wabash Avenue for years will at once begin to turn over and produce something, for the appearance of so immense a concern there will attract other large concerns, and it requires no stretch of imagination to see that magnificent street a year from now the busiest thoroughfare in the United States."

If such a result as this follows the establishing of a branch house of A. T. Stewart & Co. in so enterprising a city as Chicago, the dullest man will be able to divine the disaster that would have followed the closing up of twelve distinct houses of this immense concern, had not Mr. Stewart, by his will, provided for the continuance of his business. Had Mr. Stewart divided up his great wealth, the particular parties or institutions receiving it would have been benefitted, but the business of the country and the good of those who "earn their bread by the sweat of their brow," are

more surely conserved by keeping this great commercial institution in good running order. The opening of this branch house in Chicago does not more surely give a new impetus to the business of that city than the closing up of its other houses and manufacturing establishments would bring privation and hardship, not only to its ten thousand employés and their families, but to the public at large.

Judge Hilton and Mr. Libbey are faithfully carrying out the wishes of Mr. Stewart. There is one point in which the *Times* is undoubtedly in error, viz., as to Mr. Libbey's removal from this city. We have no doubt, if his life is spared, but that he will be found for the next fifteen or twenty years every day at his desk at the wholesale house, corner of Broadway and Chambers Street.

[*New York Trade Reporter, Sept.* 2, 1876.]

GARDEN CITY.

Although it is customary to hear New Yorkers speak, with pardonable pride, of Garden City as "the greatest real estate enterprise in the world," yet it is at the same time a fact that many very erroneous ideas prevail, both as to its actual advantages and as to the objects had in view by its founder and his successors. The following facts, which have been obtained from reliable sources, and verified by personal observation, will therefore be found useful as well as interesting.

A. T. Stewart is doubtless destined to be a central figure in future histories of America, as being the first man who looms grandly up, Saul-like, from the level of the commercial age. Certain it is that the history of a hundred years hence will, more wisely than that of to-day, treat rather of the victories of peace than of the brutalities of war, and then it will be admitted that what Newton was amongst scientists, Watts amongst inventors, Rothschild amongst bankers, such was Stewart amongst commercial men. Fortunate, indeed, was he in having such faithful hands in which to leave his great but uncompleted plans, as those of Mrs. Stewart and Judge Hilton. Garden City, as the dead mer-

chant's chief delight, receives their careful supervision, and in accordance with Mrs. Stewart's wishes Judge Hilton is pushing things rapidly along.

Garden City is a part of the great Hempstead Plain, which in its turn forms a principal portion of the table land of Long Island. Geologists are of opinion that Long Island was, at a remote period of time, part and parcel of Manhattan Island, and that the waters of the Sound have only held their place for some 150,000 years. It may be defined as the South-east portion of the State of New York, extending from 40° 34′ to 41° 10′ north latitude, and 2° 58′ to 5° 3′ east longitude from Washington. It comprises an area of 1,500 square miles, or 960,000 acres. Of this total the great plains take up some 40,000 acres. Forty years ago many thousands of sturdy sheep and cattle found pasturage on these plains for about half of the year.

How they became the property of the late A. T. Stewart has been frequently told before, but the facts will bear repetition.

In 1869 the people of Hempstead, to whom the land belonged as common pasturage, decided to sell it. Mr. Stewart, hearing of this, made them an offer for it of $55 per acre. This price was accepted, and Mr. Stewart paid his check of $394,350 for 7,560 acres of land; to which he afterwards added other 1,500, making a total of 9,060 acres, 3,000 of which are now under cultivation and yielding a plentiful return for the labor bestowed upon it.

THE SOIL AND CLIMATE.

The soil of Garden City is a light friable loam for the first foot or so downwards, and below is a bed of gravel and sand of varying depth. As is well known, this is the most absolutely healthful foundation for a city possible. No stagnant water can exist on its surface, and malaria, so generally a concomitant of level grounds has therefore no *locus standi* whatever. The city, though not exactly set upon a hill, yet cannot be hid, as it is one hundred feet above the ocean, thus securing a good natural drainage.

The air is exceedingly salubrious. On the one side Long Island is washed by the surges of the Atlantic, and on the other by the waters of the Sound. Garden City is at just such a distance from the Atlantic coast, that it receives the full benefit of the saline particles collected by the wind, minus the usual moisture of a sea

breeze. The miles of dry gravelly land over which it has to travel, abstracts all this from it, and so tempers it that it literally brings "health and healing on its wings," whether to the strong and robust, or to the consumptive and sickly. Pure air and pure water are two grand essentials in the work of securing the *mens sana in corpore sano*—a sound mind in a healthy body, which is the only safe foundation for real and rational enjoyment. This is one of the principles which has had a controlling influence in the planning and building up of Garden City, and which has caused it to become so largely a resort of those who understand the science of health. The air and the water are both perfectly pure in the first instance, and nothing has been left undone to keep them so.

SANITARY ARRANGEMENTS.

The sanitary arrangements of Garden City are admirable. The natural advantages of the locality have been supplemented by all that engineering or sanitary science could suggest.

The solid refuse or garbage accruing on the place is collected daily, by carts belonging to the estate, on a system similar to that which is supposed to, and should prevail in New York. At Garden City, however, watchful eyes see that no duty is neglected, and no accumulation of "matter in the wrong place" is ever allowed to occur. Such in fact is the care taken that it would seem as if death could only enter the place when sent for by old age, and therefore the only seeming necessity for resident physicians is in cases of child-birth. There are many things here which the authorities of New York would do well to note and copy, if they have any desire to alter the shameful death-rate for which we are notorious all over the world.

THE WATER SUPPLY.

The water supply, of which we give some particulars below, is faultless. And especially so with reference to its availability in case of fire. No engines are needed, as by the introduction of the Holly system all danger from fire is reduced to a minimum.

Beds of clean gravel, washed and purified by countless ages of drifting to and fro, while carried by the gigantic forces of the Glacier ages, which geologists consider to have been about 200,000 years ago, and at which time the whole of New York

and New England was being traversed by the immense polar glaciers imbedding in their under-surface the grit and gravel on which it had frozen, and grinding and grating the solid rocks over which they passed into. This immense bed of sand and gravel which varies from 60 to 120 feet deep all over the Hempstead Plains forms the most complete filter it is possible to imagine. The water is of singular purity and coolness, very different from the tepid abomination dispensed in homœopathic doses to the consumer in New York City, but which he is charged with wasting at the rate of 50 or 60 gallons *capita* per diem.

THE SOCIETY.

Many people have an altogether erroneous idea as to the class of people for whom Garden City was and is intended. It is not intended for a working-class population at all, but for those who are able and willing to pay a reasonable price for first-class accommodation. And it is not intended either as a residence or as a place of call for bar-room habitues, however wealthy or socially important. There are no temptations for such, the managers holding very strongly the belief that "their room is better than their company." There are no drinking saloons on the estate, and the hotel itself is unprovided with a public bar. It has, however, a splendidly-stocked wine cellar, and the residents of the city, or such visitors as are clearly outside of the class mentioned, can procure the choicest liquors and wines. Such men as are now living there have no taste for such society, and it is not intended that Garden City shall ever be a place of resort for such. These considerations render the place a veritable Arcadia for business men, or men of means, who desire beautiful scenery, pure air, and in short, every possible external advantage, uncontaminated by the smoke and noise of the work-shop, and the drinking habits of so large a proportion of the population. Garden City is in fact a collection of gentlemen's country seats in miniature, reminding the traveled American of the charming places to be met with in the south and west of England, the homes of the aristocracy, with the difference and advantage that, whereas the latter are isolated and far distant one from another, in Garden City they are sufficiently near each other to afford all the social pleasures of good-fellowship and society. Every man can there literally "sit under

his own vine and fig tree;" and it is certain that a few years will see the development of Garden City as without exception the most famous and popular in the world.

Religious and educational facilities are being provided, suited to the requirements of the residents, and in fact the plans on which the whole enterprise is being carried out are so comprehensive and complete that it would be difficult, if not impossible, to find a single flaw.

The inhabitants of Garden City are all lease-holders. None of the dwellings are sold, and the managers have it consequently always in their power to eliminate any element which might be distasteful to the others. Without this power there would be nothing to prevent Garden City from degenerating in the future to the standard of scores of country villages, as to healthfulness and good order. Now that result is impossible.

HOW GARDEN CITY IS REACHED.

The ride over the lines of the Long Island Railroad Co. is one of the pleasantest in the neighborhood. The road winds along through varied scenery, which reminds the tourist of the ascent of the Rhigi.

Special attention has been given to the convenience of the residents of Garden City, and the elegant and comfortable cars, the arrangement of the time table, the punctual service, the excellent track, and the gentlemanly conductors, are all evidences that the Long Island Railroad is in the hands of men who know how to run a railroad. The commutation rate is $75 per annum, and when it is considered that $75 to $100 is easily spent in the City of New York on car fares alone, it is evident that on the score of expense alone it is actually cheaper to live at Garden City than in some of the up-town districts.

We are of the opinion that in a few years time as the advantages of the locality become better known, and the city itself more thickly peopled, all the fast teams which now drive through Central Park and the Boulevards will make their way to Garden City, the drive being seventeen miles, and through a much greater variety of scenery than that of New York. But at present the best route is decidedly by the railroad. The ride takes about forty minutes.

THE HOTEL.

The hotel is the finest and most conspicuous building on the estate. It is built of plain brick relieved with white marble, and is only some 200 yards from the depot, surrounded by lawns and gravelled walks with trees and shrubs of luxuriant growth. The interior is fitted up in excellent taste. A well shaded and wide piazza runs around the building, and on it the guests are accustomed to assemble for their after-dinner cigars and conversation. There is an excellent restaurant attached, where the way-faring man can have a good dinner, washed down by a bottle of excellent wine. The cooking, the viands and the wines are alike unexceptionable.

The following are the names of the principal guests at Garden City at the date of our visit: R. M. Buchanan, Fulton Bank, N. Y.; L. Kountze and family, Wall Street, N. Y.; Mrs. J. F. Freeborn and family; Maj.-Gen. Hooker, U. S. A.; Wm. H. Swan, New York; Geo. Howes and family, New York—Shipping Merchants; W. K. Hinman, South Street, N. Y.; and Dr. Bayard, the celebrated homœopathic doctor.

Gen. Joe Hooker was on the look-out for a long time, in search of a place which combined a salubrious atmosphere, pure water and charming scenery with select society and every other comfort, and his long-continued stay at this place is an evidence that he thinks that Garden City and its hotel "fill the bill."

THE MEMORIAL CHURCH

which is to be raised in memory of the late founder of the City, will overlook Cherry Valley. This is the finest part of the estate, and a plot of twelve acres will be set aside for the building and adjoining grounds. There will be a rectory and school attached, and Mr. Stewart's remains will be removed from their resting-place in St. Mark's churchyard, and transferred to the place that he loved so well in life, there to remain till the last trumpet shall sound.

[*New York Herald—May* 25, 1876.]

THE ROLL OF HONOR.

A. T. Stewart's Bequest to his Employés—Magnificent Award to Fidelity—Three Hundred Names on the Record of Remembrance—Nearly a Quarter of a Million of Dollars Freely Donated—Names, Length of Service and Amounts paid to Each.

For some time it has been known among the employés of Alexander T. Stewart & Co. that Judge Hilton was busy investigating the records of the house, to ascertain the names of those in the service of Mr. Stewart at the time of his death, and who had been thus for the periods of ten years and twenty years, referred to in the letter to his "dear wife."

Of course many claims were investigated, and we are assured that whenever there existed a doubt as to the time of service, arising from missing pay rolls or otherwise, and inquiry had to be resorted to instead, in every such case, according to the directions of Mrs. Stewart, the employé had allowed him the benefit of any doubt. A few instances of this kind occurred where two or three months determined whether the party was or was not entitled, but in each instance the amount was awarded.

On application for a list of the recipients under Mr. Stewart's letter, Judge Hilton expressed doubts whether it should be given out, but finally and on reflection concluded that those who had so long and faithfully served Mr. Stewart were entitled to a public as well as private recognition, and he has permitted a copy to be taken, which we print below, giving the years of service, the names of the recipients, and amount paid to each. Where sums are paid beyond the amount to which the years employed entitled the person, it was because the services of the party were regarded, for some reason best known to Mrs. Stewart and Judge Hilton, as entitled to special consideration. The record is called by Judge Hilton the "Roll of Honor," and it certainly is such—honorable alike to the long list of names upon it, and to the memory of the merchant to whom they were endeared by years of business intercourse. The payment was in every case made by the check of

the firm of A. T. Stewart & Co. to the order of the party, inclosed in a beautifully engraved note from Mrs. Stewart, as follows:

"Mrs. Alexander T. Stewart takes great pleasure in recognizing the long and faithful services of Mr. B. C. Hardenbrook, in the employ of her late husband, and presents the inclosed check for $5,000, with her best wishes.

"NEW YORK, May 20, 1876."

The foreign employés will have their amounts sent out by the next steamer, and those at the various branch houses of the firm in England, Scotland, Ireland, France, Prussia and Saxony will receive equal consideration, as Mr. Stewart intended. Every employé for the periods stated has now been recognized and rewarded; every legacy given by the will has been paid and satisfied; the business progresses as was intended, and all moves on in order. The Women's Hotel, the Garden City Water Works and improvements, the completion of the Grand Union Hotel at Saratoga, the construction of the great carpet mills at Glenham, the Memorial Church for the merchant's tomb, with parsonage and school house, all progress silently, as it were, but as we are assured, none the less surely, and one by one other measures and purposes will be developed, as time will show.

THE "ROLL OF HONOR."

The following is the "Roll of Honor," and, as will be seen, it embraces the names of about 300 employés who had been for over ten years in some capacity engaged in any of the stores of Mr. Stewart in this city, or in the branch houses in Manchester, Paris, Lyons, Berlin, Chemnitz, Glasgow, Belfast or Nottingham. The total amount of money necessary to pay the legacies mentioned by Mr. Stewart was $216,250. This, with the legacies specified in the will, swells the grand total to $316,250:

WHOLESALE DEPARTMENTS.

	Yrs.	*Mos.*	*Award.*
Atwater, W. L.	13	7	$2,500
Alden, James F.	10	2	2,500
Ackerman, A. H.	12	11	500
Ackerman, D. H.	13	10	500
Allen, A.	10	7	500
Atkinson, B.	12	9	500

	Yrs.	*Mos.*	*Award.*
Bleecker, Henry	10	7	$500
Blockley, John C	21	4	1,000
Bogart, J. A	13	2	500
Birch, Edward	10	5	500
Bull, Edward	21	8	1,500
Berry, J. H	9	7	500
Barker, D. D	13	2	2,500
Barnett, H. W	10	10	500
Browne, John	10	6	500
Combes, H. G	13	9	500
Crook, William	10	2	500
Clair, Henry	15	9	2,500
Canterbury, C. E	12	11	500
Corley, B. F	12	7	500
Crawford, John	10	3	500
Creighton, R	10	3	500
Connor, J. A	12	8	1,500
Caldwell, S. W	10	8	500
Connolly, Thomas	10	3	500
Duff, James	12	8	500
Drysdale, A	10	3	500
Donnells, N	16	—	3,000
Dobie, R. B	14	4	1,000
De Bevoise, W. G	10	10	500
Donoghue, John	10	3	500
Duffey, Barney	10	9	500
Foley, James	16	8	1,000
Fairley, William	10	4	500
Firth, Joseph T	10	1	500
Ferris, James W	30	—	2,500
Fenton, F. H	12	7	500
Gavitt, John C	10	3	500
Glackmeyer, G	9	8	500
Gannon, James	10	—	500
Graydon, Joseph	9	11	500
Gavan, D. K	9	8	500
Hazard, J. V. S	11	9	500
Hurd, John	12	10	500
Hardenbrook, B. C	14	8	5,000
Haverty, Thomas	13	8	1,000
Hollenback, Theodore	11	6	500
Hicks, Roland	10	11	500
Howell, W. L	11	—	500
Hillyard, John	12	8	500
Hutchinson, S	10	3	500
Hawes, James E	14	2	500
Husted, J. N	10	8	500
Haviland, J. H	20	11	1,500
Hillas, William	10	3	500
Henry, Richard	10	9	500

	Yrs.	Mos.	Award.
Hutchinson, John, Jr	—	—	$1,000
Hogan, William	11	—	500
Jones, R. C	13	4	1,000
Jenks, George W	14	3	2,500
Kirby, John	14	6	1,000
Keppel, H. H	10	7	500
Kelly, C. J	12	8	500
Lounsberry, J. H	13	7	500
Lewin, M. J	10	—	1,000
Little, James	10	9	500
Montgomery, R. G	12	2	500
Moore, William	15	—	500
Montgomery, James	10	—	500
Medary, M. B	11	7	500
McGrath, John	10	3	500
Moore, W. J	10	3	500
Murray, J. F	10	1	500
Mateer, M. H	10	10	500
McCheane, J	11	—	500
McMullen, E	10	3	500
Moran, M	12	7	500
Munroe, R	20	—	1,000
McTiernan, T	13	9	500
Moran, F. O	—	—	500
Marvin, G. F	10	—	2,500
McCauley, Peter	10	9	500
McKenna, Philip	10	2	500
Nichols, O	11	—	500
Noice, E. H	10	8	500
O'Connor, M	14	—	500
O'Connor, Jere	10	3	500
Place, J. H	15	1	500
Pitcher, B. W	10	6	500
Perry, M. C	20	—	2,500
Patterson, John T	13	7	500
Robinson, D. T	10	3	500
Rum, Michael	10	3	500
Remington, S. T	13	4	500
Robinson, John T	9	7	1,500
Reardon, John	10	2	500
Raymond, A. N	11	3	500
Rivinus, D. C. F	12	—	500
Rouse, Michael	9	8	500
Ryan, Patrick	9	7	500
Stiger, E. M	14	9	1,500
Staunton, Thomas	15	4	500
Stevenson, R	11	6	500
Stikeman, Charles	14	7	1,500
Stevens, M. L	10	8	500
Smith, C. H	10	3	500

	Yrs.	*Mos.*	*Award.*
Sheehan, Michael	11	10	$500
Seltzer, Peter	9	10	500
Thayer, Isaac	10	6	500
Thorne, T. C	15	2	1,500
Taylor, C. W	12	2	500
Tuller, W. G	13	7	2,500
Van Blarcom, J. H	12	2	500
Walker, Ferdinand	12	2	500
Wooding, F. E	12	9	500
Williams, J. B	15	5	500
Whitford, J. C	10	6	500
Wicks, George F	10	6	500
Woodruff, J. C	13	3	500
Williams, C. E	14	—	500
Wright, E. J	13	3	500
Walsh, Thomas	10	10	500
Wray, John H	20	6	2,000
Walker, James H	19	8	1,500
Zabriskie, A. J	13	3	500

RETAIL DEPARTMENTS.

Alderson, J. R	11	—	500
Able, George	10	10	500
Andrews, D	10	11	500
Ahearn, Julia	10	10	500
Ambury, Mary A	15	—	500
Aylmer, Ellen	9	7	500
Agnew, Sarah	10	8	500
Aull, Eliza J	12	—	500
Brown, John T	27	8	2,500
Brown, William	10	11	500
Bowman, R. B	12	1	500
Brady, John	10	6	500
Butler, E	12	9	500
Bruen, C. T	9	11	500
Burke, Johanna	12	—	500
Bradburn, Ann	13	7	500
Burns, Mary	10	10	500
Branick, Jane	10	8	500
Cleaves, A. C	18	11	750
Cooley, William P	14	—	500
Cullen, Paul J	14	8	750
Campbell, C. S	10	1	500
Carr, Paul J	10	2	500
Cushing, Joseph	10	—	500
Cullen, G	10	11	500
Clark, David	10	—	500
Carroll, Kate	14	8	500
Clinton, Maria	12	1	500

	Yrs.	*Mos.*	*Award.*
Chute, Mary	9	10	$500
Canavan, Kate	10	—	500
Cannon, John	11	8	500
Corrigan, Catharine	12	—	500
Culgin, Sarah	10	7	500
Carson, Annie	10	11	500
Crowder, Charles	10	6	500
Crandall, Elizabeth	10	6	500
Dea, Bridget	13	6	500
Darcy, Honora	9	7	500
Derwin, Patrick	10	11	500
Duyckinck, J. T	12	—	1,000
Doyle, Michael	18	5	1,000
Doyle, Maurice	12	9	500
Davis, James W	15	7	750
Dempsey, Patrick	—	—	500
Everington, Matilda	14	7	500
Eagan, Jane	17	5	750
Elliott, Margaret	11	—	500
Folsom, H. S.	10	10	500
Francis, E	19	—	2,500
Fisher, James J.	24	7	1,250
Farrell, Ellen	15	—	500
Farrell, Loretta	14	—	500
Farrell, Margaret	15	—	500
Fitzgerald, Eliza	11	—	500
Gridley, Washington	10	—	500
Graham, R	12	7	500
Glendon, Bessie	12	10	500
Guerin, Kate	13	5	500
Gerow, O. C	10	9	500
Harrison, C. H.	14	12	1,000
Hughes, B. F	9	8	500
Hughes, B	9	7	500
Hill, William	9	7	500
Hackett, Miss	16	—	1,000
Jenkins, B	10	7	500
Jones, S. La M	9	11	500
Kennedy, Eliza	9	11	500
King, T. P.	12	1	1,000
Keeshan, Rodey	15	—	500
Lynch, Alicia	12	—	500
Leahay, Bridget	10	—	500
Leonard, Catharine	11	9	500
Luke, J. J	22	—	2,000
Luessen, J. Charles G	11	8	500
Lambert, Henry	—	—	500
McGowan, Margaret (W. G.)	10	—	500
McGrath, Margaret,	12	9	500
McCullough, Maria	12	—	500

	Yrs.	*Mos.*	*Award.*
McGrath, Mary	9	7	$500
McKay, Rosanna	10	—	500
Monaghan, Rose	13	6	500
McGahan, Mary A	9	10	500
McCollough, Delia	12	—	500
McCarthy, Ellen	10	—	500
McCabe, Rosanna	12	7	500
Major, E. M	15	—	1,000
McCormack, J. H	10	8	500
McCombie, P	11	7	500
McLaughlin, M. J	12	10	500
Maher, John	10	—	500
Miles, John	21	6	1,500
Mahon, William F	10	1	1,000
McKenzie, James	9	10	500
McNulty, William	10	11	500
Mahoney, Mary	10	11	500
McDermott, Charlotte	11	9	500
Maguier, Ellen	10	—	500
Morris, Margaret E	—	—	500
Neill, William	11	5	500
O'Brien, Michael	13	—	500
O'Meara, James	12	8	500
O'Connell, J. J	10	10	500
Palmer, John	24	—	1,500
Provost, Nelson	15	—	1,500
Powell, D	11	6	500
Paul, W. W	12	7	500
Price, William	10	—	500
Parker, J. W	9	7	500
Ryan, John	9	7	500
Roche, Edward	11	6	500
Ryan, Bridget	13	—	500
Ryan, Anna	9	7	500
Regan, Ellen	12	10	500
Regan, Mary	12	10	500
Reardon, Mary	14	—	500
Ryan, Alicia	12	—	500
Ryan, Mary	12	—	500
Reilly, Annie	11	9	500
Roche, Mary A	9	10	500
Sheridan, Mary	10	—	500
Smith, Annie	10	10	500
Sweeney, Mary	10	11	500
Sammons, J. J	10	—	500
Schouten, C. A	11	—	500
Thompson, Mary	9	8	500
Tobin, Jane	11	6	500
Treacy, Martin	11	—	500
Tiernan, T	10	3	500

	Yrs.	*Mos.*	*Award.*
Usher, H. W.	10	5	$500
Van Dien, Richard	16	—	2,500
Vass, F.	10	7	500
Weeks, A. M.	16	3	1,500
Wilson, John D.	10	10	1,000
Willard, R. A.	16	7	1,500
Wright, W. T.	12	—	500
West, Henry	9	10	500
Wacker, William	11	9	500
Waring, Agnes	11	9	500

NIBLO'S GARDEN.

Flanagan, Edward	14	—	500

GLOBE THEATRE.

Gormley, Owen	10	9	500

MANCHESTER.

Boardman, John	12	—	500
Burton, W.	14	—	500
Elvey, N.	16	—	500
Hyde, T.	16	—	500
Swanwick, Thomas	—	—	2,500
Thomas, A. W.	13	—	1,500

PARIS.

Bellefontaine, Auguste	12	—	500
Lemoine, Gustave	17	—	500
Sylvester, H. C.	—	—	2,000

LYONS.

Vibert, Henry	—	—	2,500
Bouchet, M.	16	—	500
Bardet, M.	14	—	500
Mayet, M.	13	—	500
Peyrache, M.	16	—	500
Rozet, M.	10	3	500

BERLIN.

Berger, Ernest	—	—	1,500
Fuchs, Otto	13	—	500
Kisterman, Gustave	—	—	1,000

CHEMNITZ.

Becher, F. A.	—	—	1,000

GLASGOW.

Anderson, James George	—	—	1,000

BELFAST.

	Yrs.	*Mos.*	*Award.*
Murray, Hugh	—	—	$1,500

NOTTINGHAM.

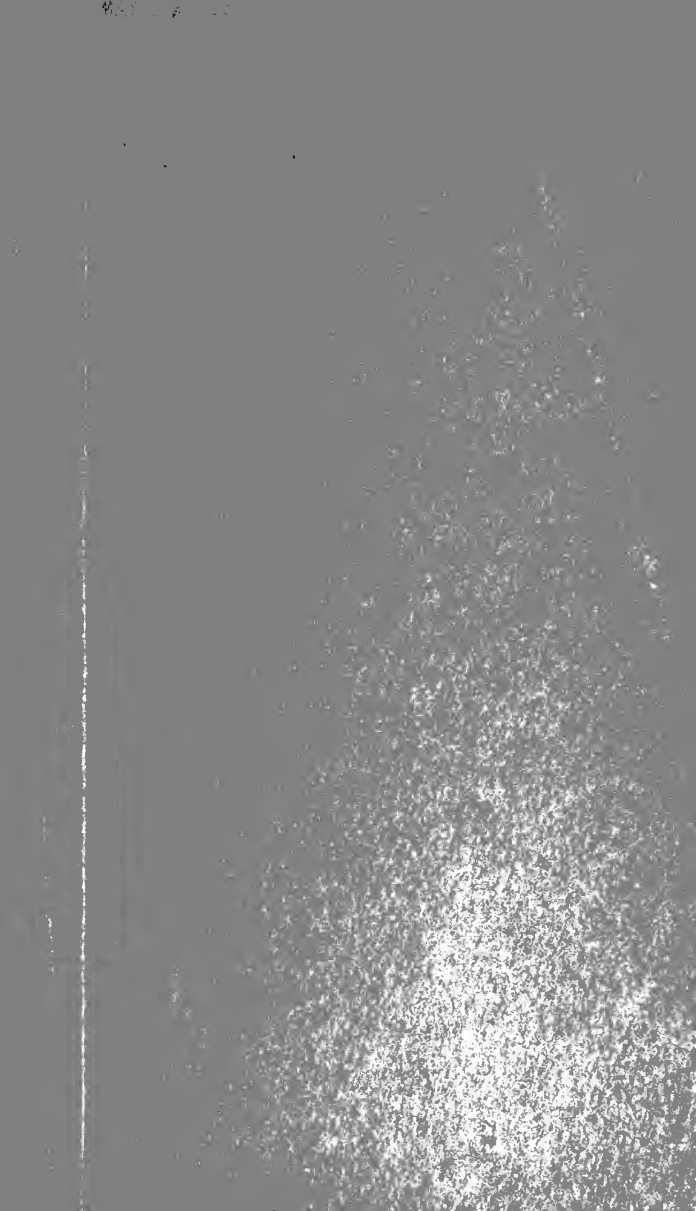
Butler, Ann	11	—	500
Bostock, Alice	11	—	500
Carver, T. G	12	—	500
Carver, William Henry	11	—	500
Carter, Ann	11	—	500
Jennings, Frederick	11	—	500
Palmer, Betsey	11	—	500
Penn, Lucy	11	—	500
Rice, Bridget	11	—	500
Roberts, Elizabeth	11	—	500
Walker, Samuel	11	—	500
Wheatcroft, Martha	11	—	500
Total			$216,250

NAMED IN AND PROVIDED FOR BY MR. STEWART'S WILL.

Butler, George B.	—	—	$20,000
Hopkins, John M.	—	—	10,000
Higgins, George H.	—	—	10,000
Cooper, A. K. P.	—	—	10,000
Rice, Henry H.	—	—	5,000
De Brot, John	—	—	5,000
Protheroe, Robert	—	—	5,000
Denning, Edmund J.	—	—	10,000
Connor, Hugh	—	—	5,000
Armstrong, William	—	—	5,000
Dodge, A. S.	—	—	5,000
Green, John T.	—	—	10,000
Total			$100,000
Grand Total			$316,250

Approved, and payments directed as above, May 18, 1876.

CORNELIA M. STEWART.

Since the bequests were paid Judge Hilton has been receiving communications from those to whom they were made, expressive of the appreciation in which the gifts are held by the employés in A. T. Stewart & Co.'s stores. It is said that the award of these moneys to the clerks of long standing in the firm's employ

has produced a strong feeling of confidence among the employés generally, and that it is especially noted by heads of departments how quickly has been dispelled the old and long-used idea that Mr. Stewart's clerks were not the best paid and in a general way the best located clerks in the city. It is said that Judge Hilton has a still further duty to perform in perpetuating the memory of the deceased merchant prince in ways which shall be alike beneficial to the community and a lasting monument of his own personal respect and affection for Mr. Stewart.